



W.P(MD)No. 31785 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED :10.11.2025

CORAM:

THE HONOURABLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD)No. 31785 of 2025

K.Saminathan

... Petitioner

Vs

1. The District Collector Cum Land Acquisition Arbitrator (NH),
Madurai District,
Madurai - 625020.

2. The Special District Revenue Officer,
Madurai National Highways,
(Land Acquisition)
Collectorate,
Madurai – 625020.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the Impugned Order passed by the first respondent in his proceedings in Na.Ka.No.E/3810759/2025/P4, dated 03.10.2025 and consequently, direct the first respondent to decide the higher compensation in the capacity of Arbitrator in the light of the application made by the petitioner dated 16.06.2019 and consequent application dated 08.09.2025 made as per the direction of the second respondent vide his order dated 26.08.2025.

For Petitioner

: Mr. B.Prahalad Ravi



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For Respondents : Mr.B.Saravanan
Additional Government Pleader

ORDER

The petitioner challenges an order dated 03.10.2025 of the first respondent rejecting the petitioner's claim on the ground of limitation.

2. Learned counsel for the petitioner contends that the first respondent completely failed to appreciate the fact that the petitioner had made a claim before the second respondent within the period of limitation and such claim was belatedly forwarded by the second respondent to the first respondent. He also contends that the order was issued without providing a reasonable opportunity to the petitioner.

3. Learned Additional Government Advocate accepts notice for both the respondents.

4. Under the National Highways Act, 1956, the acquisition award is required to be challenged before the District Collector, who acts as the



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Arbitrator. The arbitral award of the District Collector is subject to challenge under Section 34 of the Arbitration and Conciliation Act, 1996, and an award rejecting the claim on the ground of limitation qualifies as an arbitral award because it brings a finality to proceedings. The limitation period for challenging the award is three months from the date of receipt thereof. Therefore, the petitioner is within the period of limitation. Consequently, by leaving it open to the petitioner to challenge the award in accordance with the Arbitration and Conciliation Act, 1996, this Writ Petition is disposed of. No costs.

NCS : Yes/No

10.11.2025

Index : Yes / No

Internet : Yes / No

apd

Note:

Registry is directed to return the original order to the learned counsel for the petitioner.

To

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Collectorate, Madurai – 625020.

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SENTHILKUMAR RAMAMOORTHY.,J.

apd

ORDER MADE IN

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