



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-02-2026

CORAM

THE HON'BLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY

WP No. 6035 of 2026

M.Malarvizhi
W/o.Madeshwaren,
35, Virupatchipuram Village,
Dharmapuri District.

..Petitioner

Vs

1. The Arbitrator-cum-District Collector
Collectorate office, Dharmapuri District.
2. Competent Authority /
Special District Revenue Officer-Land
Acquisition, National Highways-844
(Hosur-Royakottai-Dharmapuri Section)
Dharmapuri District.
3. The Project Director (NH 844)
National Highways Authority of India
PIU-Krishnagiri
259/1, Salem main Road,
Near KAKC Petrol Bunk,
Krishnagiri District.

..Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the 3rd respondent to pay the enhanced compensation in the light of the Arbitration Award dated 21.06.2023 in S.R.807 / 2020/ U2 to the petitioner's property by disposing of the petitioner's representation dated 23.3.2024, 25.04.2024 and the reminder representation dated 08.08.2025 within the time to be stipulated by this Honourable Court.



For Petitioner:

Mr. R.Rameshraj

For Respondents:

Ms. Indhu Bala,
Additional Govt. Pleader for R1 & R2

Mr. Su.Srinivasan for R3

ORDER

The petitioner's land was acquired under the National Highways Act, 1956 (NH Act). Being aggrieved by the compensation determined by the Special Tahsildar, the petitioner applied under Section 3G(5) of the NH Act before the District Collector for enhancement. By arbitration award dated 21.06.2023, the compensation payable to the petitioner was enhanced. On account of non-payment of enhanced compensation, the petitioner has approached this Court.

2. Ms. Indhu Bala, learned Additional Government Pleader, accepts notice for respondents 1 & 2. Mr.Su.Srinivasan, learned standing counsel, accepts notice for the third respondent.

3. The third respondent submits that the original compensation amount was paid to the petitioner and that a petition under Section 34 of the Arbitration and Conciliation Act, 1996 has been filed before the jurisdictional District Court



at Dharmapuri challenging the arbitration award. It is also stated that said petition has been numbered as Arbitration O.P.No.10 of 2024. Learned standing counsel further submits that an arbitration award may be executed under Section 36 of the statute and that a petition under Article 226 of the Constitution of India cannot be resorted to for purposes of enforcement.

4. The Arbitration and Conciliation Act does not provide for an automatic stay of the arbitral award. If the third respondent requires a stay, the third respondent should apply for and obtain a stay. As on date, no stay has been obtained by the National Highways Authority of India.

5. Considering the aforesaid, this writ petition is disposed of on the following terms:

Unless the third respondent obtains a stay of the arbitral award dated 21.06.2023, compensation along with applicable interest shall be paid by the respondents to the petitioner within two months from the date of receipt of a copy of this order.

There will be no order as to costs.

26-02-2026

Index : Yes/No
Internet: Yes/No
Neutral Citation : Yes/No
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SENTHILKUMAR RAMAMOORTHY, J.

KJ

To

1.The Arbitrator-cum-District Collector
Collectorate office, Dharmapuri District.

2.Competent Authority /
Special District Revenue Officer-Land Acquisition,
National Highways-844
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