



W.P.No.14902 of 2025

SENTHILKUMAR, RAMAMOORTHY, J.

The matter is listed upon being mentioned.

2. Learned counsel for the petitioner points out that there is a typographical error in para 4 of the order and that the date of inquiry should be mentioned as 07.01.2025 and not 09.01.2025.

3. Upon examining the records, the said contention is liable to be accepted. Therefore, the Registry is directed to re-issue the order by replacing the date as 07.01.2025 for 09.01.2025 in line 3 of paragraph 4.

20.01.2026

ssk.



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-01-2026

CORAM

**THE HONOURABLE MR JUSTICE SENTHILKUMAR
RAMAMOORTHY**

WP No. 14902 of 2025

&

WMP Nos.16800, 16801 & 16803 of 2025

Shyamlal

S/o. Pemaramji Door.No.3/286/6,
Kelamangalam Road, Kurupatti village,
Mathagiri Post, Hosur Taluk,
Krishnagiri District 635 109

Petitioner(s)

Vs

1.The Arbitrator cum District
Collector,
Collectorate Office, Krishnagiri
District.

2.Competent Authority/
Special District Revenue Officer Land
Acquisition National Highways 844
(Hosur Royakottai Dharmapuri
Section) Krishnagiri 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.

4.The Executive Engineer,
Construction and Maintenance, Public
Works Department, Krishnagiri
District.



Respondent(s)

PRAYER: This writ petition has been filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to pay 12 percent interest on the additional market value for the structure and other amenities available in land measuring 236 sq. mtrs., comprised in S.No.895/1C2 (part), situated at Onalvaadi Village, Hosur Taluk, Krishnagiri District and pay the enhanced compensation by disposing of the petitioner's representation dated 15.04.2025 in the light of the order passed by this Honble court in WP.No.35385 of 2023.

For Petitioner(s): Mrs.Dhakshayini Reddy, Senior
Counsel for Mr.R.Ramesh Raja

For Respondent(s): Mr.P.Sathish, AGP for R1,
R2&R4
Mrs. S.R.Sumathy For R3
(NHAI)

ORDER

The petitioner seeks a direction for the payment of 12% interest on the additional market value for the structure and other amenities pertaining to the land concerned.

2. At the previous hearing, learned counsel for the respondents were directed to ascertain and report whether a copy of the arbitral award was served on the petitioner. At today's hearing, learned counsel for the National Highways Authority of India (NHAI) has submitted documents evidencing proof of despatch of the arbitral award. Learned Additional Government Pleader is



present and admits that there is no proof of receipt of the arbitral award by the petitioner.

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3. Learned senior counsel for the petitioner submits as follows:

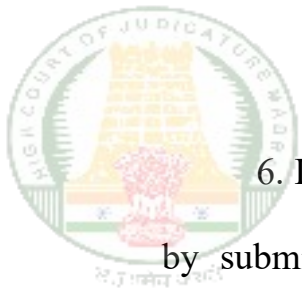
(i) An order of *status-quo* was issued by this Court on 25.04.2025.

(ii) The despatch register indicates that the award was despatched shortly before the *status-quo* order was issued.

(iii) This Court was not informed that awards had been pronounced in these matters and the respondents are endeavouring to render this writ petition infructuous.

4. By referring to the award filed in W.P.No.24007 of 2025 by counsel for NHAI, learned senior counsel submits that it records that the inquiry was conducted on 09.01.2025, whereas an inspection report subsequent thereto has been relied upon in breach of principles of natural justice and the requirements of the Arbitration and Conciliation Act, 1996.

5. Learned senior counsel also submits that the 12% interest applicable to land should also apply in respect of buildings and structures or, in the alternative, the value of buildings and structures should be determined as on the date of inspection.



6. Learned standing counsel for the NHAI responded to these contentions by submitting that the order of *status-quo* was directed at preventing the demolition of the structure and not directed at preventing the passing of an arbitral award. She also submits that the petitioner is in a position to challenge the arbitral award before the jurisdictional District Court and that any extension of the *status-quo* order would cause great hardship to the NHAI since project implementation has been stalled.

7. Learned Additional Government Pleader submits that a copy of the original award would be handed over to the petitioner within one week if the petitioner visits the office of the District Collector. He also submits that the award would be handed over in person and that an acknowledgment would be taken.

8. Under the Arbitration and Conciliation Act, 1996, every document relied upon in proceedings shall be provided to all parties to such proceedings so as to provide them with an opportunity to make submissions thereon. As noticed above, learned senior counsel contends that the valuation report relied on in the arbitral award was not provided to the petitioner. It is needless to say that this aspect would fall for consideration in proceedings under Section 34 of the Arbitration and Conciliation Act, 1996. The period of limitation under Section 34 is three months from the receipt of the award from the Arbitrator. In



view of the admission that there is no proof of receipt of the award by the petitioner, the said period of limitation has not started to run as on date. The said period would start running only from the date of receipt of the arbitral award by the petitioner concerned.

9. In the above facts and circumstances, this writ petition is disposed of on the following terms:

(i) The petitioner shall visit the office of the District Collector for purposes of receiving the original arbitral award. The District Collector shall hand over a copy of the award and obtain an acknowledgment in respect thereof.

(ii) The petitioner may challenge such award under Section 34 of the Arbitration and Conciliation Act, 1996, before the jurisdictional District Court within three months from the date of receipt thereof.

(iii) All contentions are left open to the parties, including the contention that the petitioner was not provided a copy of documents forming the basis of the arbitral award. No costs. Consequently, connected miscellaneous petitions are closed.

08-01-2026

Index:Yes/No
Speaking/Non-speaking order
Internet:Yes
Neutral Citation:Yes/No
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