



WEB COPY

WP No. 49340 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 06-01-2026**

CORAM

**THE HON'BLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY**

**WP No. 49340 of 2025**

Lakshmi,  
S/o Late Krishnan,  
Door No.7/87, Echanahalli Village, Rayakottai.  
Krishnagiri District.

..Petitioner

Vs

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

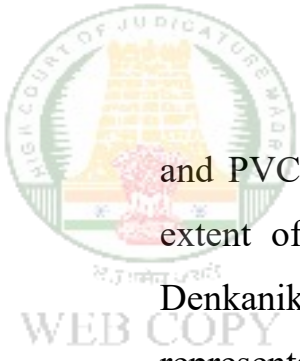
2.Competent Authority/Special District Revenue  
Officer - Land Acquisition National Highways –  
844, Hosur Royakottai Dharmapuri Section,  
Krishnagiri District.

3.Special Thasildar (Land Acquisition),  
National Highways 844, Hosur Royakottai  
Dharmapuri Section, Hosur Taluk,  
Krishnagiri District.

4.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 2nd Respondent authority to determine the compensation and pass the supplementary award U/s. 3G(1) and 3G(7) of the National Highways Act, 1956 for the 3 Tamarind Trees



and PVC Pipeline which is available in the petitioner's land measuring to an extent of 3844 sq.mtrs. comprised in S.No.30/2B3, in Echanahalli village, Denkanikottai Taluk, Krishnagiri District by disposing of the petitioner's representation dated 28.4.2025.

For Petitioner: Mr. R.Rameshraj

For Respondents: Mr.P.Sathish, AGP for R1 to R3

Mr.Su.Srinivasan for R4

### **ORDER**

In respect of an award issued by the second respondent in October 2023, the petitioner initiated proceedings before the first respondent under Section 3-G(5) of the National Highways Act, 1956 (Highways Act). According to the petitioner, the second respondent did not determine the value of three tamarind trees and a PVC pipeline. The petitioner also asserts that the first respondent had orally directed the second respondent to issue a supplementary award in respect thereof. Because such action was not taken, the present writ petition has been lodged.

2. Mr.P.Sathish, learned Additional Government Pleader, accepts notice for respondents 1 to 3. Mr.Su.Srinivasan, learned standing counsel, accepts notice for the fourth respondent.



3. Learned Additional Government Pleader submits that the first respondent may be directed to consider the petitioner's request for enhanced compensation, including in respect of the tamarind trees and PVC pipeline, and to pass orders thereon.

4. Section 3-G(7) of the Highways Act reads as under:

*“(7) The competent authority or the arbitrator while determining the amount under sub-section (1) or sub-section (5), as the case may be, shall take into consideration-*

*(a) the market-value of the land on the date of publication of the notification under Section 3-A;*

*(b) the damage, if any, sustained by the person interested at the time of taking possession of the land, by reason of the severing of such land from other land;*

*(c) the damage, if any, sustained by the person interested at the time of taking possession of the land by reason of the acquisition injuriously affecting his other immovable property in any manner, or his earnings;*

*(d) if, in consequences of the acquisition of the land, the person interested is compelled to change his residence or place of business, the reasonable expenses, if any, incidental to such change.”*

As is evident from the text of clauses (b) and (c), the Arbitrator is empowered to take into consideration the damage, if any, sustained by the person interested in the land, if such damage occurred while taking possession of the land.



Therefore, the first respondent is in a position to consider and adjudicate the petitioner's claim. The Highways Act makes the Arbitration and Conciliation Act, 1996, applicable in respect of such proceedings.

5. Therefore, this writ petition is disposed of by directing the first respondent to consider the petitioner's grievance and issue an arbitral award in compliance with the Arbitration and Conciliation Act, 1996. There will be no order as to costs.

**06-01-2026**

Index : Yes/No  
Internet: Yes/No  
Neutral Citation : Yes/No  
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To

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. Special Thasildar (Land Acquisition),  
National Highways 844, Hosur Royakottai Dharmapuri Section, Hosur Taluk,  
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**SENTHILKUMAR RAMAMOORTHY, J.**

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