



W.P.(MD)No.7118 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :04.02.2026

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THE HONOURABLE MR.JUSTICE K.SURENDER

W.P.(MD)No.7118 of 2024
and WMP (MD) No.6578 of 2024

Ramakrishnan

... Petitioner(s)

Vs.

1. The District Collector,
Dindigul District Collector Office,
Dindigul District.

2. The District Revenue Officer,
Dindigul Collector Office,
Dindigul District.

3. The Special Tahsildar,
Land Acquisition For Highways,
(NH-785) National Highways,
Natham Unit II,
Dindigul District.

4. The Project Director,
National Highways Authority of India,
Madurai, Madurai District.

... Respondent(s)

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus calling for the records pertaining to the order passed by the 1st respondent pertaining to the order passed by the 1st respondent Na.Ka.No. 8220/2021/E2 dated 10.03.2023 and quash the same and directing the respondents to consider the case of the petitioner to pay market value for land acquired from the



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petitioner in Survey No. 467/13A Reddiyapatty Village, Natham along with interest rate of 24 percent per annum.

For Petitioner :Mr. S.Arunnithy

For Respondents :Mr.D.Sadiq Raja
Addl. Government Pleader for R1 to R3
M/s.P.Karthick for R4

ORDER

This writ petition has been filed challenging the order dated 10.03.2023 passed by the first respondent and consequently, seeking a direction to the respondents to pay the market value for the land acquired from the petitioner in Survey No. 467/13A, Reddiyapatty Village, Natham, along with interest at the rate of 24% per annum.

2. Heard the learned counsel for the parties.

3. The only grievance of the petitioner is that though an arbitral award was passed, the nature of the land was not considered while granting compensation. Though the acquired land was house site, however the compensation was granted as if the land was an agricultural land. It is not in dispute that the petitioner was present during the proceedings of the arbitral award.



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4. Learned counsel for the petitioner, relying on the judgment of the High Court of Punjab and Haryana at Chandigarh in *National Highway Authority of India v. Resham Singh and Others*, submitted that the writ petition is maintainable without filing an appeal under Section 34 of the Arbitration and Conciliation Act, 1996. It was further submitted that compensation was incorrectly granted on the basis of the land being agricultural, whereas the revenue records clearly indicate it was a house site.

5. Learned Additional Government Pleader appearing for respondents 1 to 3 submitted that, once an arbitral award is passed, it is for the petitioner to approach the competent civil court under Section 34 of the Act. In support of his contention, he relied on the judgment of the Hon'ble Supreme Court in *Gayatri Balasamy v. M/s ISG Novasoft Technologies Limited*, 2025 INSC 605.

6. Admittedly, the Hon'ble Apex Court has authoritatively settled the scope and ambit of judicial interference with arbitral awards under the Arbitration and Conciliation Act, 1996. The only remedy available to an aggrieved party is to challenge the arbitral award in accordance with



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law under Section 34 of the Act, subject to limitation and thereafter avail the appellate remedy under Section 37, if so advised. Accordingly, this writ petition stands disposed of, leaving it open to the petitioner to approach the civil court and agitate his grievance regarding the consideration of the nature of the acquired land. No costs. Consequently, the connected miscellaneous petition is closed.

(K.SURENDER, J)
04.02.2026

NCC :Yes/No
Internet :Yes/No
Index :Yes/No
PKN

To

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