



W.P.(MD)No.10333 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :21.01.2026

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THE HONOURABLE MR.JUSTICE K.SURENDER

W.P.(MD)No.10333 of 2024

1. L.Johnson Moses

2. K.Shivasanmugam

... Petitioner(s)

Vs.

1. The District Collector,
Kanyakumari District , at Nagercoil.

2. The Competent Authority Land Acquisition,
Special District Revenue Officer,
National Highways Land Acquisition Officer (Tirunelveli)
at 2/17, Observatory Street , Ramavaramapuram,
Nagercoil – 629 001,
Kanyakumari District.

3. The Project Director,
National Highways , Authority of India ,
Project Implementation Unit ,
Nagercoil, Kanyakumari District..

4. The Special,
District Revenue Officer , Land
Acquisition Highways , Nagercoil,
Kanyakumari.

5. The Special Tahsildar,
National Highways , Valliyoor ,
Nagercoil, Vilavancode Unit-I,
Valliyoor , Tirunelveli District.

... Respondents



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PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents to consider petitioners representation dated 23.01.2023 by sanctioning enhanced amount of compensation by calculating the rate of interest for additional compensation for land value, multiplication factor , salvage for structure , payment of interest for compensation amount and solatium amount within the time frame.

For Petitioners :Mr. M.R.Sreenivasan

For Respondents :Mr.D.S.Nedunchezian
Government Advocate
for R1, R2, R4 and R5
Mr.B.Naveen Kumar
for M/s.Su.Srinivasan, Standing Counsel
for R3

ORDER

This writ petition has been filed seeking issuance of a writ of mandamus, directing the respondents to consider petitioners representation dated 23.01.2023 by sanctioning enhanced amount of compensation by calculating the rate of interest for additional compensation for land value, multiplication factor, salvage for structure, payment of interest for compensation amount and solatium amount within the time frame.



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2. Heard the learned counsel for the parties and perused the materials available on record.

3. The facts of the case are that the land of the petitioner was acquired and thereafter compensation was also granted after an arbitral award dated 29.03.2019. The short question arises for consideration is that whether a representation made for enhancement of compensation after an arbitral award dated 29.03.2019 can be entertained.

4. The issue is no longer *res integra*. The Hon'ble Supreme Court, in *Gayatri Balasamy v. M/s ISG Novasoft Technologies Limited*, 2025 INSC 605, 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 law under Section 34 of the Act, subject to limitation, and thereafter avail the appellate remedy under Section 37, if so advised. Therefore, once the arbitral award dated 29.03.2019 has attained finality, the petitioner cannot seek enhancement of compensation by way of a representation. Accordingly, this Court finds no merit in the writ petition and the same is liable to be dismissed.



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5. For the aforesaid reasons, the writ petition stands dismissed. No costs.

(K.SURENDER, J)
21.01.2026
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NCC :Yes/No
Internet :Yes/No
Index :Yes/No
PKN



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To

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Kanyakumari District, at Nagercoil.
2. The Competent Authority Land Acquisition,
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National Highways Land Acquisition Officer (Tirunelveli)
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