

THE HON'BLE SRI JUSTICE RAJA ELANGO

**WRIT PETITION Nos.26348 of 2008 AND 8732, 8745, 8746,
9377, 9411 AND 9496 of 2009**

COMMON ORDER:

Since the subject-matter in these writ petitions is one and the same, they are heard together and are being disposed of by this common order.

These writ petitions are preferred by the petitioners challenging the action of the official respondents in making payment of the compensation for the lands acquired from the petitioners to the unofficial respondents without verifying the ownership of the unofficial respondents and without deciding the petitions filed by the respective petitioners before the authorities concerned.

Heard and perused the records.

Learned counsel for the petitioners submits that without deciding the petitions filed by the petitioners before the official respondents and without verifying the genuineness of the unofficial respondents for claiming compensation for the lands acquired, the official respondents are trying to pay the compensation to the unofficial respondents, and as such, the said action of the official respondents is illegal and arbitrary.

Learned Assistant Government Pleader for Land Acquisition submits that the Land Acquisition Officer has filed counter affidavit stating that the interim orders were passed by this Court in miscellaneous petitions directing that pending further orders, the respondents shall not disburse the amount under the Award either to the petitioners or to the rival claimants. It is further stated in the counter affidavit that after the said interim orders, the respondents informed the petitioners and the rival claimants to appear before them to represent their cases in order to decide the issue, and that the petitioners and the rival claimants failed to appear before the authorities concerned. Hence, the amount of compensation awarded under the Award is kept in the Revenue Deposit. It is also stated that after passing of the orders in the writ petitions, if there

is any dispute in the title of the lands, the matter may be referred to the civil Court under Sections 30 and 31 of the Land Acquisition Act.

In view of the above submissions, the writ petitions are disposed of with a direction to the official respondents to call all the parties, who are claiming compensation, and decide whether there is any dispute among the parties and if still there is a dispute among the parties regarding the title of the lands, which are acquired, the official respondents are directed to refer the matter to the Civil Court and deposit the amount of compensation in the Civil Court instead of keeping the said amount in the Revenue Deposit.

The writ petitions, with the above directions, are disposed of. There shall be no order as to costs. Consequently, the miscellaneous petitions, if any, pending in these writ petitions, shall stand disposed of.

JUSTICE RAJA ELANGO

28.04.2015
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