

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.08.2016

CORAM

THE HON'BLE MR.JUSTICE M.JAICHANDREN

W.P.No.13123 of 2014

and

M.P.No.1 of 2014

P.Devan

.. Petitioner

Vs.

- 1.The Deputy General Manager,
Power Grid Corporation of India,
No.5/1706-C, Perumal Gounder Street,
Elakkampatti, Dharmapuri-636 705.
- 2.The Village Administrative Officer,
Sankaran Basavan Thalav Revenue Village,
B.Chettihalli Village and Post,
Palacode Taluk,
Dharmapuri District.

3.P.Venkatachalam.

.. Respondents

The writ petition has been filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the first respondent to pay half of the compensation amount to the petitioner in respect of the property comprised in S.No.76/1C, situated at Sankaran Basava Thalav Revenue Village, B.Chettihalli, Palacode Taluk, Dharmapuri District, measuring to an extent of 0.65.0 hectares, based on the representation of the petitioner, dated 5.4.2014.

For Petitioner : Mr.D.Rameshkumar

For Respondents : Mr.Kalyanaraman

for M/s.Aiyar & Dolia for R-1

Mr.V.R.Anna Gandhi for R-3

No appearance for R-2

ORDER

Heard.

2 This writ petition has been filed by the petitioner, praying that this Court may be pleased to issue a Writ of Mandamus, directing the first respondent to pay half of the compensation amount to the petitioner, in respect of the

property comprised in S.No.76/1C, situated at Sankaran Basava Thalav Revenue Village, B.Chettihalli, Palacode Taluk, Dharmapuri District, measuring an extent of 0.65.0 hectares, based on the representation of the petitioner, dated 5.4.2014.

3 At this stage of the hearing of the writ petition, the learned counsel appearing on behalf of the first respondent had submitted that a suit, in O.S.No.119 of 2014, had been filed by the petitioner, on the file of the Sub Court, Dharmapuri, for partition of the properties in question. It had also been submitted that an ex parte decree had been passed in favour of the petitioner, who had claimed 6/10 share of the properties in question.

4 The learned counsel had further submitted that the amount due to be paid to the owners of the land, in S.No.76/1C at Sankaran Basava Thalav Revenue Village, B.Chettihalli, Palacode Taluk, Dharmapuri District, through which 400 KV DC transmission line is passing, had not been disbursed, due to the filing of the civil suit. He had further submitted that the amount lying with the first respondent would not be disbursed to the third respondent, till a final decree is passed in the suit, in O.S.No.119 of 2014.

5 In such circumstances, this Court finds it appropriate to direct the first respondent to keep the amount in question in a Fixed Deposit, in any one of the nationalized banks, for a period of one year, subject to further renewal, till the amount is disbursed, as noted above. This writ petition stands disposed of, with the above directions. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To

- 1.The Deputy General Manager,
Power Grid Corporation of India,
No.5/1706-C, Perumal Gounder Street,
Elakkimpatti, Dharmapuri-636 705.

2.The Village Administrative Officer,
Sankaran Basavan Thalav Revenue Village,
B.Chettihalli Village and Post,
Palacode Taluk,
Dharmapuri District.

+2cc to Mr.D.Rameshkumar, Advocate sr.46995
+1cc to Mr.V.R.Annagandhi, Advocate Sr.47165
+1cc to M/S.Aiyar & Dolia, Advocate Sr.47218

W.P.No.13123 of 2014

Lgr[co]
srg 14/09/2016



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