

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 5/2/2016

C O R A M

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

W.P.No.4441 of 2016

Mrs.Devaki Thiyagarajan

... Petitioner

Vs

1. The District Collector
Kanchipuram District.
 2. The Special Tahsildar (LA)
Information Technology Express Highways Scheme
Tambaram.
 3. BNT Kreations
rep. By Partner - J.Haresh Bakshani
BNT export house
No.36 Nelson Manickam Road
Chennai 29.
- Respondents

Prayer : Writ petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus to direct the respondents to hold an enquiry by the respondents in the matter of payment of compensation to a Book Company, in respect of property comprised in S.No.286/3C1A1 Kottivakkam Village and not to the person interested.

For Petitioner ... Mr.M.Saravana Kumar

For respondents... Mr.R.M.Muthukumar
Additional Government Pleader
for R.R.1 and 2.

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O R D E R

With the consent of the learned counsel appearing on either side, this writ petition is taken up for final disposal, at the admission stage itself.

2. Heard Mr.M.Saravana Kumar, learned counsel for the petitioner and Mr.R.M.Muthukumar, learned Additional Government Pleader for the respondents 1 and 2.

3. This writ petition has been filed praying to direct the respondents to hold an enquiry by the respondents in the matter of payment of compensation to a Book Company, in respect of property comprised in S.No.286/3 ClA1 Kottivakkam Village and not to the person interested, file a report.

4. The petitioner is said to be a Power of Attorney agent of the third respondent and it is stated that she is entitled to compensation for the lands acquired. From the proceeding, dated 16/4/2012, it is seen that the compensation amount has been disbursed to the third respondent. The petitioner would state that the Power of Attorney executed in her favour by the third respondent is a power coupled with agreement therefore, irrevocable and it amounts to transfer of the interest of the property in favour of the petitioner.

5. Considering the above facts, this Court is of the view that the issue raised by the petitioner cannot be adjudicated in a writ petition nor can the respondents 1 and 2 consider the same. If the petitioner has got any grievance, her only remedy is before the Civil Court.

6. With the above observation, this writ petition is dismissed. No costs.
mvs.

-s/d-

Assistant Registrar (CS-III)

True Copy

Sub-Assistant Registrar

To

1. The District Collector
Kanchipuram District.
2. The Special Tahsildar (LA)
Information Technology Express
Highways Scheme
Tambaram.

+ 1 cc to Govt.Pleader SR 7950

+ 1 cc to Mr.M.Saravana Kumar, Advocate SR 7665

kk(co)
prk18/2

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