



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

W.P (MD) No.15544 of 2015

Kumarasamy

.. Petitioner

Vs.

1. The District Collector,
Trichy District.

2. The Special Tahsildar (Land Acquisition),
Manapparai Taluk, Trichy District.

3. Mookan

[Third respondent is impleaded as per
order dated 12.04.2016 made in
W.M.P (MD) No.4142 of 2016].

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the second respondent to consider petitioner's objection dated 12.08.2015 before passing final order in land acquisition proceedings initiated by second respondent in respect of land measuring 7.40 Acres in K.Periyapatti Village, Manapparai Taluk, comprising Survey Number 470.

For Petitioner

: Mr.A.Thiyagarajan

For Respondents 1 and 2

: Mr.M.Alagathevan,
Special Government Pleader.

For Respondent No.3

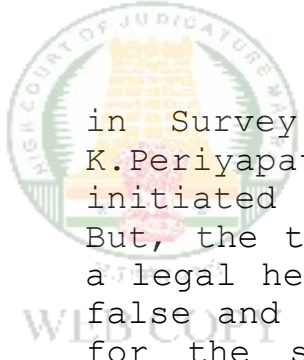
: Mr.P.Ganapathi Subramanian

ORDER

This writ petition is filed seeking a writ of Mandamus to direct the second respondent to consider the petitioner's objection dated 12.08.2015 before passing final orders in land acquisition proceedings initiated by the second respondent in respect of land in Survey No.470, admeasuring 7.40 Acres, situated in K.Periyapatti Village, Manapparai Taluk.

<https://hcservices.ecourts.gov.in/hcservices/>

2.According to the petitioner, he is the owner of the land



in Survey No.470, admeasuring 2 Acres and add, situates in K.Periyapatti Village, Manapparai Taluk. The second respondent initiated acquisition proceedings in respect of the said land. But, the third respondent, namely, Mookan, who is none other than a legal heir of one of his father's co-sharer, on the strength of false and frivolous documents, was trying to get the compensation for the same. Hence, he made a petition before the second respondent on 30.12.2014. Thereafter, the second respondent had issued summons to all the concerned parties and after conducting enquiry, reserved for orders. The petitioner had given his detailed objection to the second respondent on 12.08.2015. Since the same has not been considered so far, the petitioner is before this Court.

3.Heard the learned counsel appearing for the petitioner, the learned Special Government Pleader appearing for the respondents 1 and 2 and the learned counsel appearing for the third respondent.

4.The learned counsel appearing for the third respondent would submit that the said land is absolutely belonged to the third respondent and the Special District Revenue Officer, TNPL Scheme, completed the enquiry and awarded compensation and kept the matter pending due to the dispute between him and the petitioner and the Special District Revenue Officer should have deposited the award amount before the Sub Court, Trichy.

5.In reply, the learned counsel for the petitioner would submit that the petitioner will move the Sub Court, Trichy, if the award amount is deposited by the second respondent before the Sub Court, Trichy and the third respondent also agrees for the same.

6.In view of the submission made on the side of the petitioner, this writ petition is disposed of, giving liberty to the petitioner to move the Sub Court, Trichy, at the time of depositing the award amount by the second respondent before the said Court. No costs.

Sd/-

Assistant Registrar(AD-II)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,

<https://hcservices.ecourt.gov.in/services>



2. The Special Tahsildar (Land Acquisition),
Manapparai Taluk, Trichy District.

+1 cc to The Special Government Pleader in SR.?No.67986

smn

AE/KK/SAR2/01.08.2017/3P/4C

**ORDER MADE IN
W.P(MD)No.15544 of 2015
24.07.2017**