



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.09.2017

CORAM

WEB COPY

**THE HONOURABLE MR.JUSTICE R.MAHADEVAN**W.P. (MD) No.16900 of 2017andW.M.P (MD) No.13467 of 2017

Karuppaiah

... Petitioner

Vs.

- 1.The District Collector,  
Dindigul District, Dindigul.
- 2.The Land Acquisition cum Sub Collector,  
Palani Taluk, Dindigul District.
- 3.The Thasildar,  
Vedasandur Taluk, Dindigul District.

4.Karupasamy

... Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 to 3 to refer the dispute in respect of Na.Ka.No.2974/2012/A2 dated 22.07.2017 passed by the 2nd respondent to the competent civil court as far as the properties in S.F.105/1 to the extent of 1.82.0 hector at Ayalur Village, Vedasandur Taluk, Dindigul District, originally belongs to Mooka Gounder S/o.Kuppandi, died intestate.

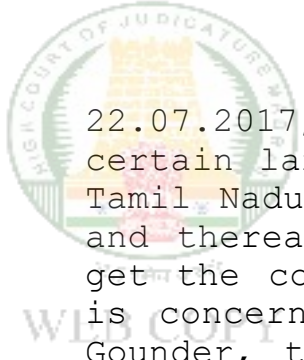
For Petitioner : Mr.N.Shanmugaselvam

For Respondents : Mr.S.Kumar,

Additional Government Pleader  
for R.1 to R.3ORDER

This Writ Petition has been filed seeking a Writ of Mandamus directing the respondents 1 to 3 to refer the dispute in respect of the proceedings of the second respondent in Na.Ka.No.2974/2012/A2 dated 22.07.2017, to the competent civil court, insofar as the property in S.F.105/1 at Ayalur Village, Vedasandur Taluk, Dindigul District, is concerned.

<https://hcservices.ecourts.gov.in/hcservices/2> According to the petitioner, the property in question belongs to his father Mooka Gounder, who died on 17.02.2001 and after his demise, the legal heirs are enjoying the possession. On



22.07.2017, the second respondent issued a notice, by which, certain lands were proposed to be acquired under Section 3 of the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997 and thereafter, the fourth respondent herein was taking steps to get the compensation amount, insofar as the property in question is concerned. Being one of the legal heirs of the said Mooka Gounder, the petitioner raised his objections to the respondents by way of representation dated 20.08.2017 and as the same is kept pending, without any action, the petitioner is constrained to come before this Court, with the aforesaid prayer.

3. Heard the learned Counsel for the petitioner and the learned Additional Government Pleader appearing for respondents 1 to 3.

4. The learned Additional Government Pleader, on instructions, submitted that the proceedings now impugned before this Court is only a notice and he further submitted that only after receiving objections, if any, from the petitioner, the authorities will proceed further.

5. At this juncture, the attention of this Court was drawn, by the learned Counsel for the petitioner, to the petitioner's objection letter addressed to the respondents 1 & 2, which was submitted as early as on 20.08.2017.

6. Under such circumstances, this writ petition is disposed of, directing the respondents 1 to 3 to consider the objection letter of the petitioner dated 20.08.2017 and take a decision thereon, after affording due opportunity of hearing to the petitioner and thereafter, the respondents 1 to 3 shall proceed further, in the manner known to law. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(Crl.Side)

/True Copy/

Sub-Assistant Registrar

To

1.The District Collector, Dindigul District, Dindigul.

2.The Land Acquisition cum Sub Collector, Palani Taluk, Dindigul District.

3.The Thasildar, Vendasandur Taluk, Dindigul District.

+One cc to Mr.N.Shanmuga Selvam, Advocate, SR.No.79500

+One cc to The Special Government Pleader, SR.No.79584

gk

RL/6C/2P/JC/SAR1/26/9/2017

W.P(MD)No.16900 of 2017