



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.04.2017

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THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P. (MD) No.7698 of 2017

Thailammal, W/o.Rengasamy

..Petitioner

Vs.

1. The District Collector,
District Collectorate Office,
Trichy,
Trichy District.
2. The District Revenue Officer,
District Collectorate Office,
Trichy District.
3. Special Deputy Collector,
State Industries Promotion Corporation
of Tamil Nadu (SIPCOT),
Manaparai Industrial Park,
42, R.R. Valagam,
Dindiugl Bye-Pass Road, Manaparai,
Trichy District.

4.Arumugam, S/o.Muthupudaiyar

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the third respondent from disbursing the compensation amount to the fourth respondent alone in connection with the acquisition of the land situated at S.No.123/3, 6 and S.No.124/1, at Kannudaiyanpatti Village, Manaparai Taluk, Trichy District, without conducting proper enquiry.

For Petitioner : Mr.D.Selvaraj
For R1 to R3 : Mr.K.Mahesh Raja
Government Advocate

ORDER

The petitioner has approached this Court seeking a direction, forbearing the third respondent from disbursing the compensation amount to the fourth respondent alone in connection with the acquisition of the land situated at S.No.123/3, 6 and S.No.124/1,

Kannudaiyanpatti Village, Manaparai Taluk, Trichy District, without conducting proper enquiry.

2. There seems to be a dispute among the legal heirs of the deceased person and the suit is also pending before the Manaparai Munsif Court, in O.S.No.280 of 2016. Since there was a dispute among the so called legal heirs of the deceased, the compensation could not be paid in the absence of proper identification of the legal heirs. In the said circumstances, vide proceedings, dated 01.02.2017, the third respondent directed the parties to appear and establish their status as legal heirs of the deceased. Without awaiting for the outcome of the enquiry notice, dated 01.02.2017, the petitioner has rushed to this Court invoking the extraordinary jurisdiction under Article 226 of the Constitution of India. Therefore, this Court is of the view that the present Writ Petition is premature and cannot be entertained at this stage. Accordingly, this Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar()

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
District Collectorate Office,
Trichy,
Trichy District.
2. The District Revenue Officer,
District Collectorate Office,
Trichy District.
3. The Special Deputy Collector,
State Industries Promotion Corporation
of Tamil Nadu (SIPCOT),
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42, R.R. Valagam,
Dindiugl Bye-Pass Road, Manaparai,
Trichy District.

+1cc to Special Government Pleader, SR.No.54687

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