

THE HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION Nos.9388, 9503 & 9391 of 2009

COMMON ORDER:

Since the issue involved in these writ petitions is identical, they are heard together and are being disposed of by this common order.

These writ petitions are preferred by the petitioners challenging the action of the official respondents in making payment of the compensation for the lands acquired from the petitioners to the unofficial respondents without verifying the ownership of the unofficial respondents and without deciding the petitions filed by the respective petitioners before the authorities concerned, as illegal and arbitrary.

Heard both sides and perused the records.

Learned counsel for the petitioners would submit that without deciding the petitions filed by the petitioners before the official respondents and without verifying the genuineness of the unofficial respondents in claiming compensation for the lands acquired, the official respondents are trying to pay the compensation to the unofficial respondents, and as such, it is urged that the said action of the official respondents is illegal and arbitrary.

By an order dated 30.04.2009 and 01.05.2009, this Court granted interim orders in these writ petitions directing the respondents not disburse the amount under the Award either to the petitioners or to the rival claimants. It is stated in the counter affidavit that after the interim orders, the respondents informed the petitioners and the rival claimants to appear before them to represent their cases in order to decide the issue, but the petitioners and the rival claimants failed to appear before the authorities concerned. Hence, the compensation amount awarded under

the Award is kept in the Revenue Deposit. It is also stated that after passing of the orders in the writ petitions, if there is any dispute with regard to title, the matter would be referred to the civil Court under Sections 30 and 31 of the Land Acquisition Act.

In view of the above submissions, the writ petitions are disposed of with a direction to the official respondents to call all the parties, who are claiming compensation, and decide as to whether there is any dispute among the parties and if the dispute between the parties regarding the title of the lands still exists, the official respondents are directed to refer the matter to the Civil Court and deposit the amount of compensation in the Civil Court instead of keeping the same in Revenue Deposit.

With the above directions, the writ petitions are disposed of. There shall be no order as to costs. Consequently, the miscellaneous petitions, if any, pending in these writ petitions, shall stand closed.

23.01.2017
vnb

JUSTICE C. PRAVEEN KUMAR

