

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 02.11.2018

CORAM
THE HONOURABLE Mr.JUSTICE V.BHARATHIDASAN
W.P. 29262 of 2018

R.Balasubramaniam

... Petitioner

Vs

1. The District Collector,
Erode District, Erode.

2. The Revenue Divisional Officer,
(Land Acquisition),
O/o. Revenue Divisional Office,
Brough Road, Erode-1.

3. The Executive Engineer,
Tamil Nadu Housing Board,
Neighbourhood scheme,
Surampatti Nall Road,
Erode.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue appropriate Writs, orders or Directions and in particular issue a Writ of Mandamus, directing the respondents to disburse the compensation to the tune of Rs.4,42,698/- together with interest 15% from date of order passed by the 1st respondent in his proceedings Na.Ka.2945/2017/B1, dated 13.02.2017 till the compensation being paid by the respondents to the petitioner.

For Petitioner : Mr.C.Prakasam

For Respondent : Mr.M.Elumalai,,
Government Pleader for R1 & R2

Mr.R.V.Babu for R3

O R D E R

This writ petition has been filed seeking a direction to the respondents to disburse the compensation amount payable to the petitioner.

2. According to the petitioner, the 1st respondent by an order dated 13.02.2017 fixed the compensation for the petitioner to the tune of Rs.4,42,698/-, but till date, the amount has not been paid. In the said circumstances, the present Writ Petition has been filed.

3. Mr.M.Elumalai, learned counsel appearing for the respondents 1 and 2 submitted that since the land was acquired for the Housing Board, the 3rd respondent has to deposit the amount. So far, the amount has not been deposited. Only after the amount deposited by the 3rd respondent Housing Board, the respondents 1 and 2 will be in a position to pay the compensation.

4. Mr.R.V.Babu, learned counsel appearing for the 3rd respondent submitted that they will deposit the amount within a period of eight weeks.

5. Recording the above submissions, the 3rd respondent is directed to deposit the amount within a period of eight weeks from the date of receipt of the copy of this order and on deposit of amount, the 2nd respondent is directed to disburse the compensation amount to the petitioner within a period of two weeks thereafter.

6. In the result, this Writ Petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

rpp

To

1. The District Collector,
Erode District, Erode.
2. The Revenue Divisional Officer,
(Land Acquisition),
O/o. Revenue Divisional Office,
Brough Road, Erode-1.
3. The Executive Engineer,
Tamil Nadu Housing Board,
Neighbourhood scheme,
Surampatti Nall Road, Erode.

+lcc to Mr.C.Prakasam, Advocate, S.R.No.76358
+lcc to the Government Pleader, S.R.No.76441

W.P. 29262 of 2018

rrs 12/11/2018