

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.06.2019

CORAM

THE HONOURABLE Mr.JUSTICE M.DHANDAPANI

W.P. 27855 of 2008

and

M.P. 1 of 2008

1. J.Khaleel
 2. J.Miyakhan
 3. J.Md. Mytheen
 4. J.Shahul Hameed
- Petitioners

Vs

1. The District Collector,
Singaravelar Maligai,
Rajaji Salai,
Madras-1.
 2. The Project Director,
National Highways Authority of
India, SPIC House,
Annex Buildings,
8th Floor, Anna Salai,
Guindy, Chennai-32.
 3. Competent Authority and
Special District Revenue Officer,
(Land Acquisition),
National Highways,
Kancheepuram & Tiruvallur Dt.
At Kancheepuram.
- (R3 impleaded as per Court order dated 26.04.2010
by AAJ in MP 1/10 in WP 27855 of 2008)

.... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, to disburse the compensation to the petitioners with respect to the lands situate at T.S.No.1, 14/1 and 14/3, Block No.43, Koyambedu, Madras-106.

For Petitioner : Mr.V.Ragavachari

For Respondents : Mr.M.Elumalai,
Govt. Pleader

O R D E R

The petitioners have filed this Writ Petition seeking a direction to disburse the compensation to the petitioners with respect to the lands situate at T.S.No.1, 14/1 and 14/3, Block No.43, Koyambedu, Chennai-106.

2. Mr.M.Elumalai, learned Government Pleader, on instructions would submit that earlier, this court by an order dated 06.07.2010 in this Writ Petition directed the 3rd respondent to refer the matter under Sec.3H(4) of National Highways Act to the Land Acquisition Tribunal, City Civil Court, Chennai and the learned counsel has also produced an office award dated nil.08.2010 issued by the 3rd respondent sent to the Judge, City Civil Court, Chennai, wherein it is stated that the lands acquired for construction of Grade Separator at Koyambedu Junction and a sum of Rs.2,09,58,520/- towards compensation for an extent of 920 sq. mtrs. has been paid to Tmt. Premalatha, wife of Vijayakanth after examining the documents. Further, the compensation amount for the balance of 662 sq.mtrs. of land to the tune of Rs.1,50,81,022/- (Rupees one crore fifty lakhs eighty one thousand and twenty two only) could not be paid, since there is a dispute in the determination of title for the above mentioned land under Sec.3G(1) of the said Act. Hence, the amount of Rs.1,50,82,022/- drawn in favour of the Judge, City Civil Court, Chennai was deposited through cheque bearing No.150860, dated 05.08.2010 at Indian Bank, Bazaar Branch, Thiruvallur. After determination of title, the amount will be paid to the landlords. The said letter is recorded.

3. In view of the above, nothing survives for further adjudication in this Writ Petition. Accordingly, this Writ Petition stands disposed of. However, the liberty is granted to the petitioners to work out their remedy in the manner known to law. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

To

1. The District Collector,
Singaravelar Maligai,
Rajaji Salai,
Madras-1.
2. The Project Director,
National Highways Authority of
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8th Floor, Anna Salai,
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Kancheepuram & Tiruvallur Dt.
At Kancheepuram.

+1cc to the Government Pleader Sr.51200

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and
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cnr[co]
srg 22/07/2019

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