

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 08.04.2019

CORAM

**THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE****W.P. (MD) No.6889 of 2019**

1.J.Hilbert  
2.Ronald  
3.Herald Jacob

... Petitioners

-vs-

1.The State of Tamil Nadu  
Represented by its Secretary  
Housing and Urban Development  
Fort. St.George  
Chennai- 600 009

2.The Tamil Nadu Housing Board  
Rep. by its Managing Director  
No.331, Anna Salai  
Nandanam, Chennai- 600 035

3.The Executive Officer and  
Administrative Officer  
Madurai Special Division  
Madurai Housing Board  
Ellis Nagar,  
Madurai- 625 016

4.The Tahsildhar (Land Acquisition)  
South Neighbourhood Scheme  
Unit-I, Madurai- 625 020

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the respondents to consider the petitioners representation dated 02.01.2018, within the time stipulated by this Honble Court.

For Petitioner : Mr.P.M.Vishnu Varthanan

For Respondents : Mr.Rajarajan  
No.1 and 4 Government Advocate  
No.2 and 3 Mr.M.Janarthanan

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**O R D E R**

The instant writ petition has been filed for a mandamus directing the respondents to consider the petitioners representation dated 02.01.2018 with in the time stipulated by this Court.



2. According to the petitioners their Plot No. 10 in Re-survey No.12 of 2018, Thoppur Village, Madurai South Taluk, Madurai, Sub Division, Madurai were acquired by fourth respondents as early as in the year 1991. According to the petitioners till date compensation amount has not been paid to them. Therefore they gave a representation dated 02.01.2018 to the respondents calling upon them to pay the compensation.

3. Today, the learned counsel for the third respondent submitted that the compensation amount payable to the petitioners have already been deposited with the First Additional Sub Court, Madurai. He also drew the attention of this Court to the proceedings of the third respondent dated 01.02.2018, which also confirms that the compensation amount payable to the petitioners is now lying with the First Additional Sub Court, Madurai.

4. The learned counsel for the petitioner has also obtained instructions from their client and has reported before this Court that the petitioners may be granted liberty to approach the First Additional Sub Court, Madurai for withdrawal of the compensation amount.

5. Accordingly, the writ petition is disposed of, granting liberty to the petitioners to approach the First Additional Sub Court, Madurai, for withdrawal of the compensation amount payable to the petitioners from and out of the fund lying in the credit of the said proceedings before the First Additional Sub Court, Madurai and the said Court shall dispose of the application for payment as and when it is filed by the petitioners as expeditiously as possible.

6. Accordingly, the writ petition is disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(Crl.Side)

// True Copy //

Sub Assistant Registrar(CS )

To

1.The First Additional Subordinate Judge,  
Madurai.

2.The Secretary  
The State of Tamil Nadu  
<https://hcservices.ecourts.gov.in/hcservices/>  
Housing and Urban Development  
Fort. St.George, Chennai- 600 009



3.The Tahsildhar (Land Acquisition),  
South Neighbourhood Scheme  
Unit-I, Madurai- 625 020

+1 CC to M/s.R.JANARTHANAN, Advocate in SR-59615  
+1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No.59933  
+1 CC to M/s.P.M.VISHNUVARTHANAN, Advocate in SR-60012

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