

In the High Court of Judicature at Madras

Dated : 06.3.2020

Coram

The Honourable Mr.Justice T.S.SIVAGNANAM

Writ Petition No.5714 of 2020 & WMP.No.6671 of 2020

1.M.Krishnamurthy

2.R.Nagaraj

3.Tmt.K.Santhakumari

...Petitioners

Vs

1.The Commissioner, Corporation
of Coimbatore, Town Hall,
Coimbatore, Coimbatore District-1.

2.The District Collector,
Coimbatore, Coimbatore District.

3.The District Revenue Officer
(Land Acquisition), Pillur II Water
Project, Office of the Collectorate,
Coimbatore District.

4.The Revenue Divisional Officer
(Land Acquisition), Pillur III Water
Project, Koundampalayam,
Coimbatore District-30.

5.The Tahsildar (LA), Pillur II Water
Project, Office of the Collectorate,
Coimbatore District.

6.P.Purushothaman

7.S.Alagarsamy

...Respondents

PETITION under Article 226 of The Constitution of India
praying for issuance of a Writ of Mandamus forbearing
respondents 1 to 5 from paying compensation to respondents 6 and
7 for acquisition of land measuring 3.95 acres comprised in
S.No.912, situated in No.2, Gudalore Village, Coimbatore North
Taluk, Coimbatore District.

For Petitioners	:	Mr.K.Raja
For Respondent-1	:	Mr.K.Natarajan
For Respondents 2 to 5	:	Mr.D.Raja, SGP

ORDER

I have heard Mr.K.Raja, learned counsel for the petitioners, Mr.K. Natarajan, learned Standing counsel accepting notice for the first respondent and Mr.D.Raja, learned Special Government Pleader accepting notice for respondents 2 to 5. In view of the limited nature of the order this Court proposes to pass, notice to respondents 6 and 7 is dispensed with and the writ petition itself is taken up for final disposal.

2. The petitioners seek a direction to respondents 1 to 5 to forbear from paying compensation to respondents 6 and 7 for the land, which was acquired.

3. According to the petitioners, there is a dispute regarding title to the property in question and the petitioners filed O.S.No.977 of 2019 on the file of the Fourth Additional District Munsif Court, Coimbatore. Apart from that, there is a reference to certain criminal cases, which are pending between the parties. Since this writ petition is disposed of without ordering notice to respondents 6 and 7, no positive direction can be granted. However, the fourth respondent can very well examine the contents of the representation of the petitioners dated 17.6.2019 and send a suitable reply to work out their remedies in accordance with law.

4. In the light of the above, the writ petition is disposed of with a direction to the fourth respondent to take note of all the facts by considering the representation of the petitioners dated 17.6.2019 and send a suitable reply on the query raised by the petitioners within a period of 15 days from the date of receipt of a copy of this order. No costs. Consequently, the connected WMP is closed.

Sd/-
Assistant Registrar(CS I)

//True Copy//

Sub Assistant Registrar

To
1.The Commissioner, Corporation of Coimbatore, Town Hall,
Coimbatore,
Coimbatore District-1.

2.The District Collector, Coimbatore, Coimbatore District.

3.The District Revenue Officer (Land Acquisition), Pillur II
Water Project,
Office of the Collectorate, Coimbatore District.

4.The Revenue Divisional Officer (Land Acquisition), Pillur III Water Project,
Koundampalayam, Coimbatore District-30.

5.The Tahsildar (LA), Pillur II Water Project, Office of the Collectorate,
Coimbatore District.

+1 cc to Mr.K.Natarajan, advocate,sr.20002

+2 cc to Mr.K.Raja, Advocate,sr.20014

+1 cc to Govt.Pleader,sr.21159.

Sr(co)
krd 26/6

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