

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.03.2020

CORAM

THE HON'BLE MR.JUSTICE D. KRISHNAKUMAR

C.R.P. No.2560 & 2561 of 2019

P.Sellappan

... Claimant/Petitioner in both CRPs.

Vs.

The Special Tahsildar (L.A.),
Collectorate Complex,
Namakkal.

... Land Acquisition Officer/Respondent
in both C.R.Ps.

Prayer in both C.R.P.: The Civil Revision Petitions are filed under Article 227 of the Constitution of India to number the unnumbered I.A.S.R.No.2368/2019 in L.A.O.P.No.112 of 2007 and I.A.S.R.No.2370 of 2019 in L.A.O.P.No.48 of 2007 on the file of the Additional District Judge, Namakkal.

For Petitioner in both : Mr.Abbar Mohamed Abdullah I.
C.R.Ps.

For Respondent in both : Mr.Y.T.Aravind Gosh, G.A.
C.R.Ps.

O R D E R

The Additional District Court, Namakkal enhanced the compensation claimed by the land owners/petitioner herein in L.A.O.P.No.48 and 112 of 2007. Based on the enhancement of compensation awarded by the Additional District Court, Namakkal, the respondent department has deposited the compensation amount of Rs.54,55,326/- and Rs.99,36,651/- in respect of aforesaid L.A.O.Ps. in a nationalised bank. The revision petitioner has filed the present unnumbered application to send for the aforesaid amount to the credit of L.A.O.P.No.48 and 112 of 2007. However, the said applications were returned by the Court below by directing the petitioner to produce copy of the Will, dated 13.3.2014 and to add the respondents 1 and 2 in probate O.P.No.24 of 2017 as parties in the present applications.

2. According to the learned counsel appearing for the petitioner, the respondents 1 and 2 are not necessary parties for the relief as prayed for in the present application. Further, the application is only for a limited prayer to send for the compensation amount to the credit of the aforesaid L.A.O.Ps., the Court below misunderstood and returned the aforesaid applications.

3. The learned Government Advocate appearing for the respondent would submit that since the application is only for the prayer to send for the compensation amount to the credit of L.A.O.Ps., the respondent have no objection for allowing the aforesaid applications so far as prayer is concerned.

4. In view of the submission made by the parties, this Court is inclined to consider the relief as prayed for in the unnumbered I.A. being filed by the petitioner only to send for the compensation amount to the credit of the aforesaid L.A.O.Ps. Therefore, the Court below without insisting the petitioner to add the respondents 1 and 2 as necessary parties in the present application, number the said applications if it is otherwise in order and dispose of the said applications at the earliest. The Court below shall consider the aforesaid applications independently without being influenced by the observations made hereinabove.

5. Accordingly, the Civil revision petitions are disposed of with the above directions. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

To

The Additional District Judge,
Namakkal.

+2cc to Mr.I.Abrar Md.Abdullah, Advocate Sr.22595, 22594
+1cc to the Government Pleader Sr.22798, 22799

C.R.P.(PD) No.2560 & 2561 of 2019

ssi[co]
srg 17/03/2020