



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

**DATED: 10.11.2020**

CORAM:

THE HONOURABLE MR.JUSTICE **S. VAIDYANATHAN**

**W.P. (MD)No.15855 of 2020**

WEB COPY

Ganesan

... Petitioner

-vs-

1.The Authorised Officer-cum-  
Special District Revenue Officer,  
Land Acquisition (NH-785-E),  
561, Dr.Abdul Kalam Street,  
Sennamanayakkanpatti,  
Dindigul District.

2.The Special Tahsildar,  
Land Acquisition (NH-785-E) Unit-III,  
Senthurai Road,  
Devadoss Kalyana Mandapam Opp,  
Natham,  
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to release the determined compensation amount to the petitioner in respect of the acquired property in S.Nos.769/3A1 and 769/5A of Nadumandalam Village, Natham Taluk, Dindigul District within the time framed fixed by this Court based on the Petitioner's representation dated 25.06.2020.

|                 |                                                    |
|-----------------|----------------------------------------------------|
| For Petitioner  | : Mr.P.Shanmuga Raja                               |
| For Respondents | : Mr.K.P.Krishnadoss<br>Special Government Pleader |

**ORDER**

This Writ Petition has been filed seeking issuance of a Writ of Mandamus directing the respondents to release the determined compensation amount to the petitioner in respect of the acquired property in S.Nos.769/3A1 and 769/5A of Nadumandalam Village, Natham Taluk, Dindigul District within the time framed fixed by this Court.

2.Heard the learned Counsel appearing for the petitioner and Mr.K.P.Krishnadoss, learned Special Government Pleader, who took notice for the respondents. By consent of both sides, the Writ Petition is disposed of at the admission stage itself.



3.It is represented by the learned counsel appearing for the petitioner that the properties in Survey Nos.769/3A1 and 769/5A situated in Nadumandalam Village, Natham Taluk, Dindigul District, belongs to the petitioner which he had purchased from on Vellaikkannu through valid sale deed dated 24.08.1994 and a gift deed executed by his father dated 25.11.2014. From the date of purchase the petitioner has been in possession and enjoyment of the property and the revenue records also mutated in his name. While so, for the extension of Natham - Thuvankurichi road, the Government had acquired the above said land from the petitioner. Though the petitioner is entitled to a compensation under Section 38 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, he has not been paid compensation. Therefore, he had approached the respondents by making so many representations the last date of which is dated 25.06.2020. Since there was no response from the respondents, the petitioner has come forward with the present Writ Petition.

4.Mr.K.P.Krishnadoss, learned Special Government Pleader appearing for the respondents would submit that there are rival claimants and they have filed a civil suit before the Sub Court, Dindigul claiming the right over the property which is pending. Unless and otherwise the suit is disposed of, the amount of compensation cannot be disbursed.

5.Considering the facts and circumstances of the case and also the submission made by the learned Special Government Pleader, this Court is of the view that the admitted amount of compensation may be deposited by the authorities concerned in the account of the Civil Suit pending before the Sub Court, Dindigil. The Sub Court, Dindigul shall keep the amount in a fixed deposit to be renewable periodically so that the amount can be disbursed to one person or shared among all the parties, depending upon the outcome of the Civil Court's judgment and decree. The Sub Court, Dindigul, is expected to dispose of the suit as expeditiously as possible.

6.With the above direction, the writ petition, is disposed of. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

SRM

<https://hcservices.ecourts.gov.in/hcservices/>



To

1.The Authorised Officer-cum-  
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Natham,  
Dindigul District.

3.The Subordinate Judge,  
Dindigul.

+1 CC to SGP ( SR-21898[F] dated 11/11/2020 )

**W.P (MD) No.15855 of 2020**

**10.11.2020**

**KUN** (CO)

NR (21/12/2020) 3P : 5C