



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.11.2021

CORAM :

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.12469 of 2011

&

M.P.No.1 of 2011

R.Janarthanam Pillai

...Petitioner

Vs.

1. The District Collector  
Nagapattinam District,  
Nagapattinam.
2. The Chief General Manager,  
Land Acquisition Wing,  
Oil & Natural Gas Commission,  
(Neravy, Karaikal.  
Union Territory of Pondicherry.
3. The Tahsildar,  
Kuthalam Taluk Office,  
Kuthalam, Nagapattinam District.

4. Thiruvarasan

...Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 2<sup>nd</sup> respondent to release the compensation amount by entering into Lease Agreement afresh between joint owners including petitioner of the land comprised in R.S.No.593/1, to an extent of 058.50 hecets situated in Kuthalam Village, Nagapattinam District.

For Petitioner : Mr.Chandrasekaran

For Respondents 1 &3 : Mr.C.Jayaprakash  
Government Advocate

For Respondent 2 : Mr.Anand Gopalan  
for M/s.T.S.Gopalan & Co

For Respondent 4 : Mr.A.Muthukumar



## O R D E R

The relief sought for in the present Writ Petition is to direct the 2nd respondent, the Oil and Natural Gas Commission to release the compensation amount by entering into a lease agreement afresh between joint owners including the petitioner of the land comprised in R.S.No.593/1.

2. The relief sought for in the present Writ Petition is absurd in view of the fact that the High Court in the Writ Petition cannot compel the 2<sup>nd</sup> respondent to enter into the lease agreement afresh between the joint owners. Entering into an agreement is the rights of the parties and to be made based on negotiations or consensus. The High Court in a writ proceedings cannot adjudicate such disputed issues under Article 226 of the Constitution of India.

3. The learned counsel for the 4th respondent brought to the notice of this Court that the subject property is already been acquired and various developments were occurred during the pendency of the Writ Petition. With reference to the acquisition, land acquisition O.P. is also pending before the Civil Court. This being the factum established, the relief sought for at this length of time cannot be considered by this Court.

4. The Writ Petition stands dismissed. Consequently, connected Miscellaneous Petition is also closed. No costs.

Sd/-  
Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

shr/Kan

To

1. The District Collector  
Nagapattinam District,  
Nagapattinam.
2. The Chief General Manager,  
Land Acquisition Wing,  
Oil & Natural Gas Commission,  
(Neravy, Karaikal.  
Union Territory of Pondicherry.



3. The Tahsildar,  
Kuthalam Taluk Office,  
Kuthalam, Nagapattinam District.

+1cc to M/s.T.S.Gopalan & Co, Advocate, S.R.No.59329

+1cc to M/s.A.Muthukumar, Advocate, S.R.No.59514

+1cc to the Government Pleader, S.R.No.60027

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PMK (CO)

RGA (02/12/2021)