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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2021

CORAM

THE HON'BLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.NO.2555 OF 2020

AND

WMP.NO.2966 OF 2020

Selvi.L

...Petitioner

Vs

- 1.The District Collector,
Chinglaput District Collectorate Campus,
Chingleput
- 2.The Thasildar,
Cheyyur Taluk,
Chingleput District
- 3.The Special Tahsildar (Land Acquisition),
Mammallapuram Puducherry National Highway Scheme Unit-2,
Kanchipuram
- 4.The Revenue Inspector,
Koovathur,
Cheyyur Taluk,
Chingleput District
- 5.The Village Administrative Officer,
Kadalore Chathirampettai,
Cheyyur Taluk,
Chingleput District
- 6.Srinivasan
- 7.P.Indirani
- 8.Loganathan
- 9.E.Palani
- 10.E.Radhakrishnan
(R6 to 10 impleaded vide order dated
01.11.2021 in WMP.No.21396 of 2021
in WP.No.2555 of 2020)

...Respondents



PRAYER:- Writ Petition is filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus to consider the petitioner's representation dated 11.12.2019 to second respondent to include her name in patta along with her brothers Srinivasan, Ponnurangam, Loganathan, Palani and Radhakrishnan, which enables her to get compensation for the acquisition of land bearing in survey No.32/3C/2-House property and survey No.74/2 coconut grove situated at No.105, Kadalor Chathirampettai, Cheyyur Taluk, Kanchipuram District payable by the third respondent.

For Petitioners : Mr.G.K.Sekar

For Respondents

For R1 to 5 : Mr.A.Selvendran,
Special Government Pleader

ORDER

The writ petition is filed to issue a Writ of Mandamus to consider the petitioner's representation dated 11.12.2019 to second respondent to include her name in patta along with her brothers Srinivasan, Ponnurangam, Loganathan, Palani and Radhakrishnan, which enables her to get compensation for the acquisition of land bearing in survey No.32/3C/2-House property and survey No.74/2 coconut grove situated at No.105, Kadalor Chathirampettai, Cheyyur Taluk, Kanchipuram District payable by the third respondent.

2. The property comprised in survey No.32/3C/2 and comprised in survey No.74/2 situated at 105, Kadalore Chathirampettai, Cheyyur Taluk, Chingleput District belong to the petitioner's father. The third respondent proposed to acquire the said land for the purpose of widening of National Highways road. After death of her parents, the petitioner is being one of the legal heirs entitled for 1/6 share in the subject property. However, the respondents 6 to 10 obtained patta without including the petitioner's name. Therefore, she submitted petition before the second respondent to include her name in the patta so that it enables her to get compensation for the acquisition of the subject land.

3. Heard, Mr.G.K.Sekar, the learned counsel for the petitioner and Mr.A.Selvendran, Special Government Pleader appearing for the respondents 1 to 5.

4. The third respondent filed counter and revealed that the subject property belonged to the petitioner's father, who died on 28.12.1998. The petitioner is also one of the legal heirs of the father Ethiraj. Even till today, no disbursement of



compensation was made to any one of the legal heirs of the deceased Ethiraj. The petitioner is also eligible to claim her share in the said property.

5. Considering the above, the second respondent is directed to consider the representation of the petitioner dated 11.12.2019 and conduct enquiry after issuance of notice to the respondents 6 to 10 herein and pass orders to include the petitioner's name in the patta in respect of the property comprised in survey No.32/3C/2-House property and survey No.74/2 coconut grove situated at No.105, Kadalor Chathirampettai, Cheyyur Taluk, Kanchipuram District within a period of four weeks from the date of receipt of copy of this order. Thereafter, the petitioner and the respondents 6 to 10 are directed to produce the relevant records before the third respondent for disbursement of the compensation in respect of the subject property. It is made clear that till an order is passed by the second respondent, the third respondent is directed not to disburse compensation amount to the respondents 6 to 10 herein.

6. With the above directions, this writ petition is disposed of. Consequently, connected miscellaneous petition is closed. No order as to costs.

Sd/-

Assistant Registrar (CS-IV)

// True Copy //

Sub Assistant Registrar

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To

- 1.The District Collector,
Chinglaput District Collectorate Campus,
Chingleput
- 2.The Thasildar,
Cheyyur Taluk,
Chingleput District
- 3.The Special Tahsildar (Land Acquisition),
Mammallapuram Puducherry National Highway Scheme Unit-2,
Kanchipuram
- 4.The Revenue Inspector,
Koovathur, Cheyyur Taluk,
Chingleput District.



5.The Village Administrative Officer,
Kadalore Chathirampettai,
Cheyyur Taluk,
Chingleput District

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+1cc to Mr.G.K.Sekar, Advocate SR.No.62185

+1cc to the Government Pleader SR.No.92968

W.P.No.2555 of 2020

SJ(CO)
RVM(16/12/2021)