



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.09.2019

CORAM:

THE HON'BLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P. No.12797 of 2019

N. Ramachandra Rao,

... Petitioner

-Vs-

1.The District Collector,
Krishnagiri.

2. The District Revenue Officer/
Special Officer Land Acquisition,
Soldiers Club,
Bangalore Road, Krishnagiri.

3. The Project Director,
National Highways Authority of India,
Salem Main Road,
Opposite Iyyappa Temple,
Salem Road, Krishnagiri.

4. The Tahsildar,
Krishnagiri.

... Respondents

PRAYER: This Petition is filed under Article 226 of the Constitution of India, praying for to issue Writ of Mandamus directing 4th respondent herein to grant Patta in respect of Survey Nos.19/1, 19/2, 19/3, 44/3, 44/4 of Meetabandha Village, Kothapetta, Oldpet Post, Krishnagiri District and Taluk and further direct the 2nd respondent to grant compensation for lands acquired in S.Nos.19/1, 19/2, 19/3 to the extent acquired of Kothapetta Village and pass appropriate orders accordingly.

For Petitioner :: Ms.K. Abhiramaee
(For V. Raghavachari)

For Respondents :: Mr. Yogesh Kannadasan



O R D E R

This Writ Petition has been filed under Article 226 of the Constitution of India, praying for to issue Writ of Mandamus directing 4th respondent herein to grant Patta in respect of Survey Nos.19/1, 19/2, 19/3, 44/3, 44/4 of Meetabandha Village, Kothapetta, Oldpet Post, Krishnagiri District and Taluk and further direct the 2nd respondent to grant compensation for lands acquired in S.Nos.19/1, 19/2, 19/3 to the extent acquired of Kothapetta Village and pass appropriate orders accordingly.

2. Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents as well as perused the material available on records.

3. Having considering the facts and circumstances of the case and the submissions of the learned counsel on either side, it is seen that the prayer of the petitioner is not complied with by the respondents due to pending of Second Appeal in S.A.No.531 of 1997 filed by the respondents herein before this Court even though the first appeal in A.S. No.140 of 1995 dated 07.01.1997 is passed by the II Additional District Judge, Krishnagiri reversing the Judgment and decree made in O.S. No.784 of 1982 dated 31.01.1995 on the file of the District Munsif, Krishnagiri, in favour of the appellants therein. However, the learned counsel for the petitioner has submitted a Web Copy of the final order in S.A. No.531 of 1997 dated 28.06.2021 passed by this Court as she is not in a position to produce the original order copy of the aforesaid Appeal. Since the appeal filed by the respondents is dismissed and the Judgment and decree granted by the Lower Appellate Court in A.S. No.140 of 1995 dated 07.01.1997 is hereby confirmed by this Court, the respondents are hereby directed to make necessary mutation in the revenue records and pass appropriate orders to pay compensation to the petitioner herein for lands acquired by the respondents herein in accordance with law after affording sufficient opportunity to the petitioner herein.

4. In the result, the Writ petition is disposed of accordingly. Consequently, connected miscellaneous petition is closed if any. There shall be no order as to costs.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR



Lbm
To:

1. The District Collector,
Krishnagiri.
2. The District Revenue Officer/
Special Officer Land Acquisition,
Soldiers Club, Bangalore Road, Krishnagiri.
3. The Project Director,
National Highways Authority of India,
Salem Main Road, Opposite Iyyappa Temple,
Salem Road, Krishnagiri.
4. The Tahsildar,
Krishnagiri.

+lcc to Mr.V.Raghavachari, Advocate Sr.49341
+lcc to the Government Pleader Sr.49769

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srg 16/12/2021