

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.01.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

W.P.No.18609 of 2020
and
W.M.P.No.23079 of 2020

Rajammal

... Petitioner

Vs

1. The Government of Tamil Nadu,
Represented by its Secretary,
State Highways Department,
Fort St.George,
Chennai-600 009.

2. The District Collector,
Coimbatore District, Coimbatore.

3. The District Revenue Officer &
Land Acquisition Officer,
Combined District Collector Office Campus,
Coimbatore, Coimbatore District.

4. The Thasildar,
Porur Taluk, Coimbatore District.

5.P.Natarajan

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 4 not to release any compensation amount to the 5th respondent as per 3rd respondent's notification / Paper Publication dated 23.09.2018 in Jaa.Ma.Tho.E/307/Land Acquisition/2018 dated 23.09.2018 in respect of Survey Nos.556/3, 556/1, 556/1A, 556/1B, 556/1C, 556/2C, 557/2, and 557/1 situated at Vadavalli Village, Porur Taluk, Coimbatore District till disposal of petitioner's representation / objection dated 24.10.2020.

For Petitioner : Mr.K.T.S.Sivakumar

For Respondents 1 to 4: Mr.V.Ananda Murthy
Additional Government Pleader

O R D E R

The petitioner is the sister of 5th respondent. As between them, a suit in O.S.No.591 of 2020 is pending before the District Court, Coimbatore for partition of the properties which according to the petitioner belonged to them jointly. In the meantime, one of the items of the suit property was notified for acquisition, and the writ petitioner who is the plaintiff in O.S.No.591 of 2020 has come forward in this petition for a direction that the compensation amount to be determined by the 3rd respondent/Land Acquisition Authority is not disbursed to the 5th respondent.

2. Mr.V.Ananthamurthy learned Additional Government Pleader enters appearance for the official respondents. The learned Additional Government Pleader made a statement on instruction that the entire acquisition proceedings are at preliminary stage.

3. The petitioner is now required to file her representation, if any, in the matter before the 3rd respondent within a period of three weeks from the date on which the copy of this order is obtained by her. During enquiry for determining compensation, the Land Acquisition Authority is required to issue necessary notice to the petitioner. In case, there is no unanimity as to whom the compensation amount should go, then the Land Acquisition Authority is required to deposit the amount in Court as per law in terms of Section 76 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

4. Accordingly, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

सत्यमेव जयते
Assistant Registrar(CS -VII)

//True Copy//

Sub Assistant Registrar

To

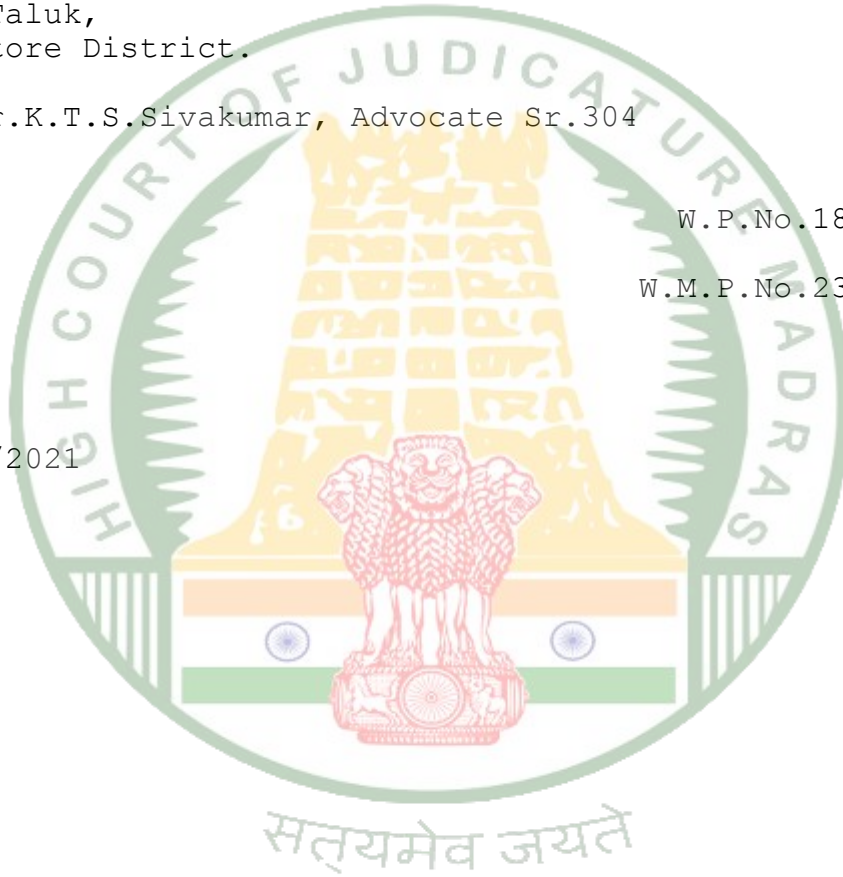
1. The Secretary,
Government of Tamil Nadu,
State Highways Department,
Fort St.George,
Chennai-600 009.

2. The District Collector,
Coimbatore District,
Coimbatore.
3. The District Revenue Officer &
Land Acquisition Officer,
Combined District Collector Office Campus,
Coimbatore,
Coimbatore District.
4. The Thasildar,
Porur Taluk,
Coimbatore District.

+1cc to Mr.K.T.S.Sivakumar, Advocate Sr.304

W.P.No.18609 of 2020
and
W.M.P.No.23079 of 2020

jp[co]
srg 11/01/2021



WEB COPY