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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.12.2021

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

WP.NO.25708 OF 2021

Rani

...Petitioner

Vs

1. The District Collector,
Ariyalur,
Ariyalur District.
2. The Revenue Divisional Officer,
Udayarpalayam Taluk,
Ariyalur District.
3. Competent Authority and
Special District Revenue Officer,
(Land Acquisition),
National Highways Authority,
Trichirapalli.
4. The Tahsildar,
Udayarpalayam Taluk,
Ariyalur District.

...Respondents

Prayer :- Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 1 and 3 to pay the remaining compensation amount of Rs.44,08,250/- for the petitioner's land in S.No.125/2B, to an extent of 6 cents, Guruvallaparkoil village, Udayarpalayam Taluk, Ariyalur District as per the award proceedings dated 27.12.2019 in additional award No.18/2019-20 (in Na.Ka.NH1/282/2018).

For Petitioner : Mr.M.R.Jyothimanian
for Mr.K.Balu

For Respondents : Mr.C.Kathiravan,
Special Government Pleader



ORDER

This writ petition is filed for direction directing the respondents 1 and 3 to pay the remaining compensation amount of Rs.44,08,250/- for the petitioner's land in S.No.125/2B, to an extent of 6 cents, Gurusvallaparkoil village, Udayarpalayam Taluk, Ariyalur District as per the award proceedings dated 27.12.2019 in additional award No.18/2019-20 (in Na.Ka.NH1/282/2018).

2. Heard, Mr.M.R.Jyothimanian, the learned counsel for the petitioner, and Mr.C.Kathiravan, learned Special Government Pleader appearing for the respondents.

3. The case of the petitioner is that the petitioner owned property comprised in survey no.125/2B to an extent of 6 cents situated at Gurusvallaparkoil Village, Udayarpalayam, Ariyalur District. The petitioner derived title over the property by the settlement deed dated 13.11.2013 executed by her husband registered vide document No.1836 of 2013 on the file of the Sub Registrar, Jayamkondam. Originally, the said land was assigned in favour of her father in law on 20.04.1974 by the first respondent. It was classified as 'Natham land' and thereafter assigned in favour of the petitioner's father in law and permitted to construct house under Section 3 of the Tamilnadu Occupants of Kudiyaippu (Conferment of Ownership) Act, 1971. In the year 2019, the third respondent had acquired the said land for formation of four lane towards Chidambaram to Trichy National Highways 227. The third respondent passed award and fixed compensation for the said land as well as building put up by the petitioner at Rs.86,54,918/- by the proceedings dated 27.12.2019. Whereas the third respondent has deposited only a sum of Rs.42,46,168/- to the petitioner's account and the remaining amount of Rs.44,08,250/- has not been deposited so far. There is no dispute about the ownership of the said land as well as superstructure put up by the petitioner herein. However, without any reason, the third respondent deposited only 50% of the amount and the remaining amount has not been deposited for the reasons best known to the third respondent. In this regard, the petitioner submitted representation before the third respondent on 29.10.2021 to disburse the remaining amount of compensation in favour of the petitioner and it is still pending without passing any order.

4. Considering the same, the third respondent is directed to consider the request of the petitioner dated 29.10.2021 and pass orders to disburse the remaining compensation amount on merits and in accordance with law within a period of four weeks from the date of receipt of receipt of copy of this order.



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5. With the above direction, this writ petition is disposed of. No order as to costs.

Sd/-
Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
Ariyalur,
Ariyalur District.
2. The Revenue Divisional Officer,
Udayarpalayam Taluk,
Ariyalur District.
3. The Competent Authority and
Special District Revenue Officer,
(Land Acquisition),
National Highways Authority,
Trichirapalli.
4. The Tahsildar,
Udayarpalayam Taluk,
Ariyalur District.

+1cc to Mr.K.Balu, Advocate, S.R.No.64159

+1cc to the Government Pleader, S.R.No.64339

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SPD(CO)
RLP(16/12/2021)