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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.12.2021

CORAM

THE HONOURABLE Mr. JUSTICE G.K.ILANTHIRAIYAN

WP.No.26152 of 2021

A.K.Murthy

... Petitioner

Vs

1.The District Collector,
Cuddalore District,
Cuddalore

2.The Special District Revenue Officer,
(LA) National Highway 45 & 227,
Cuddalore District,
Cuddalore

3.The Special Tahsildar(LA) Office,
National Highway 45 & 227,
Kattumannar Koil,
Cuddalore 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 to award proper compensation to the petitioner on the basis of the petitioner's representation dated 01.03.2021 for his house which is situated in survey No.22/4B C.Vakkaramari Village, Chidambaram Taluk, Cuddalore District and standing valuable trees.

For Petitioner : Mr.A.Kalaiselvan

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

ORDER

The writ petition is filed for direction directing the respondents to award proper compensation to the petitioner on



the basis of the petitioner's representation dated 01.03.2021 for his house which is situated in survey No.22/4B C.Vakkaramari Village, Chidambaram Taluk, Cuddalore District and standing valuable trees.

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2. Heard, Mr.A.Kalaiselvan, the learned counsel for the petitioner, and Mr.C.Kathiravan, Special Government Pleader appearing for the respondents.

3. The petitioner and his ancestors owned agricultural land and found Arulmigu Sri Vigneswara Temple. They also donated the land in favour of the said temple and maintained by them. The petitioner also constructed house in survey No.22/4B and is residing there for the past three decades. The said house was assessed to the house tax and property tax. The petitioner also obtained electricity service connection and is residing there. While being so, the third respondent acquired the said land to lay road. It is also noted that the said temple is not coming under the purview of the HR&CE Department and it is a private temple belongs to the petitioner and his ancestors. The petitioner had no objection for the acquisition of the said land on condition that the petitioner should be paid adequate compensation.

4. On perusal of the records produced by the petitioner, revealed that the petitioner was issued notice to produce the documents in respect of the said land comprised in survey No.22/4 admeasuring 00380 sq.mtrs for disbursal of the compensation on 05.10.2020. Thereafter, on 19.02.2021, the third respondent issued notice to remove all the superstructures from the subject property. However, even till today, the petitioner was not paid any compensation for the land acquired by the third respondent. In this regard, the petitioner also made representation on 18.03.2021 and it is pending before the second respondent.

5. Considering the same, the petitioner is directed to produce the relevant documents to prove their possession and ownership of the subject land and on receipt of the same, the second respondent is directed to disburse the compensation to the petitioner for the land which was acquired in survey No.22/4 admeasuring 00380 sq.mtrs. within a period of six weeks from the date of receipt of copy of this order. It is made clear that till the disbursal of the compensation, the physical possession of the petitioner from the subject property shall not be disturbed.



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

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

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To

1.The District Collector,
Cuddalore District,
Cuddalore

2.The Special District Revenue Officer,
(LA) National Highway 45 & 227,
Cuddalore District,
Cuddalore

3.The Special Tahsildar (LA) Office,
National Highway 45 & 227,
Kattumannar Koil,
Cuddalore District

+1cc to Mr.A.E.Kalaiselvan, Advocate SR.No.65155

+1cc to the Government Pleader SR.No.65855

WP.No.26152 of 2021

SSI (CO)
GN (27/12/2021)