



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 29.04.2021**

**CORAM :**

WEB COPY

**THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH**

**W.P. (MD) .No.775 of 2013**

**and**

**M.P. (MD) No.1 of 2013**

A.Rajendran

...Petitioner

Vs.

1.The Special Tahsildar,  
Land Acquisition,  
Air Force Station,  
Revenue Divisional Office,  
No.1, Vallam Road,  
Thanjavur.

2.Defence Estate Officer,  
Madras Circle,  
306, Anna Salai,  
Teynampet, Chennai 600018.

3.The II Additional District Judge,  
Thanjavur, Thanjavur District.

4.Rethinasamy Uthamundar

5.Pachamuthu Udayar

6.Rengaraj

7.Arulanantha Samy Nadar

8.Rajangam

9.Rajalakshmi

10.Vilasapathi

11.Savarimuthu

12.Muthusamy Nadar

13.Saroja

14.Narayanamoorthy

15.Muthukannu

16.Vijayalakshmi

17.Kaliyamoorthy

18.Rani

19.Kanagavalli

20.Kohila

21.Vembu

22.Arockiamary

23.Arulanandasamy



24.Kulandaisamy  
25.Joseph  
26.Yocob  
27.Fathima Mary  
28.Parisutharaj  
29.Kunjammal  
30.Thangappa  
31.Saminathan  
32.Jayalakshmi  
33.Arockiyamary  
34.Sagayamary  
35.Thaineesmary  
36.Xaviour  
37.Elizabeth Mary  
38.Rayappan  
39.Jeyalakshmi  
40.Murugaian  
41.Dhanalakshmi  
42.Palanivel  
43.Subramanian  
44.Arumugam  
45.Kanthavel  
46.Poornaselvi  
47.Singaravadivel

.... Respondents

**Prayer:** This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the third respondent not to issue the cheque to the respondents 4 to 47 in the L.A.O.P.No.106/2006, 370/1997, 205/1996, 286/1997, 381/1997, 703/1997, 12/2009, 726/1997, 369/1997, 704/1997, 25/1996, 20/96, 130/2006, 14/2009, 10/2009, 18/1996, 19/1996, 104/2006, 203/1997, 398/1997, 32/2006, 26/1996, 17/1996, 24/1996 and 90/2006 on the file of the II Additional District Judge, Thanjavur, without settling the fees payable to the petitioner.

For Petitioner : No Appearance  
For Respondents : Mr.C.Venkateshkumar  
for M/s.Ajmal Associates (for R5)  
Mr.Ebeneser (for R6 to R9, R11 to  
R13, R16 to R20 and R23 to 35)

**ORDER**

This writ petition has been filed for the issue of a writ of Mandamus of Mandamus, directing the third respondent not to issue the cheque to the respondents 4 to 47 in the L.A.O.P.No.106/2006, 370/1997, 205/1996, 286/1997, 381/1997, 703/1997, 12/2009, 726/1997, 369/1997, 704/1997, 25/1996, 20/96, 130/2006, 14/2009, 10/2009, 18/1996, 19/1996, 104/2006, 203/1997, 398/1997, 32/2006, 26/1996, 17/1996, 24/1996 and 90/2006 on the file of the II Additional



District Judge, Thanjavur, without settling the fees payable to the petitioner.

2.The relief sought for in the writ petition is not sustainable. If at all the petitioner has any claim towards his fees from the respondents, he can only make a claim by filing a suit for recovery of money and the petitioner cannot stop the payment of the compensation to the respondents', since his fees has not been settled.

3.The law on this issue has been made very clear by the Hon'ble Supreme Court of India in the case of **Angayarkanni and another Vs. Mr.N.Ponnuswami** reported in **2018 (5) LW 648**.

4.In the result, this writ petition is dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

**NOTE:** In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

**TO**

1.The Special Tahsildar,  
Land Acquisition,  
Air Force Station,  
Revenue Divisional Office,  
No.1, Vallam Road,  
Thanjavur.

2.The II Additional District Judge,  
Thanjavur, Thanjavur District.

+1 CC to M/s.SPL GP ( SR-18309[F] dated 30/04/2021 )

**Order made in**  
**W.P. (MD) .No.775 of 2013**

**Dated:**  
**29.04.2021**