



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.02.2021

CORAM

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P. (MD) No.1659 of 2021

and

W.M.P. (MD) No.1403 of 2021

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Hari Krishnan

.. Petitioner

VS

1.The District Collector,
Trichy District.

2.The District Revenue Officer,
(Authorized Officer),
Trichy to Karur National Highways No.67,
Trichy District.

3.The Special Tahsildar,
(Land Acquisition),
Trichy to Karur National Highways-No.67,
Collector Office Campus,
Trichy.

4.Sivakumar

.. Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 1 to 3 to consider the objection made by the petitioner vide his representations dated 24.10.2020, 20.11.2020 and in respect of property acquired for Trichy Karur National Highway situated in Re.Sy.No.111/3C, K.Kallukudi North Village, Srirangam North Taluk, Trichy District and consequently forbear the respondents 2 and 3 from disbursing compensation amount to the 4th respondent.

For Petitioner : Mr.A.Balakrishnan

For R1 to R3 : Mr.M.Rajarajan

Additional Government Pleader

ORDER

This Writ Petition is filed to direct the respondents 1 to 3 to consider the objection made by the petitioner vide his representations dated 24.10.2020 and 20.11.2020 and to forbear the respondents 2 and 3 from disbursing compensation amount to the 4th respondent.

2.The issue involved is one of the title claimed as between the petitioner as well as the 4th respondent. In such view of the matter, this Court cannot embark upon the settlement of the competent title claims between the petitioner as well as the 4th respondent. In case, the petitioner wants to establish his title



over the property in question, it is for him to approach the appropriate and competent civil Court for enforcing his claim to the property as against the claim of the 4th respondent. It is certainly not open to the petitioner to invoke the jurisdiction of this Court under Article 226 of the Constitution of India.

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3. Therefore, this Court is of the view that this Writ Petition is not maintainable and therefore, the same is dismissed. It is always open to the petitioner to seek appropriate remedy in the manner known to law, if he is so advised. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar (AE)

// 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 District Collector,
Trichy District.
2. The District Revenue Officer,
(Authorized Officer),
Trichy to Karur National Highways No.67,
Trichy District.
3. The Special Tahsildar,
(Land Acquisition),
Trichy to Karur National Highways-No.67,
Collector Office Campus,
Trichy.

+1 CC to M/s.A.BALA KRISHNAN, Advocate (SR-3246[F] dated 04/02/2021)

+1 CC to M/s.SPL GP (SR-3333[F] dated 04/02/2021)

W.P. (MD)No.1659 of 2021
02.02.2021

Na (CO)

KB(22.02.2021) 2P 6C