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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD)Nos.4905, 4909 & 4910 of 2021

and W.M.P. (MD) Nos.3982, 3985 & 3989 of 2021

(Through Video Conference)

J.Sujatha ... Petitioner in W.P. (MD)
No.4905 of 2021

S.R.M.Kumaresh ... Petitioner in W.P. (MD)
No.4909 of 2021

S.Janaki Ram ... Petitioner in W.P. (MD)
No.4910 of 2021

Vs.

1.The District Collector,
Tenkasi District Collectorate Office, Tenkasi.

2.The Executive Engineer,
Public Works Department - Water Resources Organisation,
Special Project, Tirunelveli - 11

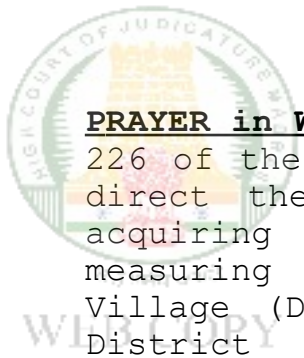
3.The Assistant Executive Engineer,
Public Works Department- Water Resources Organisation,
Special Project - II,Tirunelveli - 11

4) The Special Tahsildar (Land Acquisition),
Ramanathi - Jambunathi Combined Canal Project,
Tenkasi Taluk Office Premises,
Tenkasi Dstrict.

5) The Tahsildar,
Taluk Office,
Tenkasi,
Tenkasi District.

... Respondents in all W.Ps'

PRAYER in W.P. (MD)No.4905 of 2021: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, direct the respondents to complete the private negotiation for acquiring the petitioner's patta land in Survey No.560/14, 584/4 measuring an extent of 1 Acres 14 cents in Kadaiyaperumputhur-II Village (D) old Ambasamudram Taluk, now Tenkasi Taluk. Tenkasi District for Ramanathi-Jambunathi combined canal scheme and determine the sale consideration and till completion of said process restraining them interfere the petitioner possession of the above mentioned property.



PRAYER in W.P. (MD)No.4909 of 2021: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, direct the respondents to complete the private negotiation for acquiring the petitioner's patta land in Survey No.588/1, 584/1 measuring an extent of 3 Acres 64 cents in Kadaiyaperumputhur-II Village (D) old Ambasamudram Taluk, now Tenkasi Taluk. Tenkasi District for Ramanathi-Jambunathi combined canal scheme and determine the sale consideration and till completion of said process restraining them interfere the petitioner possession of the above mentioned property.

PRAYER in W.P. (MD)No.4910 of 2021: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, direct the respondents to complete the private negotiation for acquiring the petitioner's patta land in Survey No.560/6B, 560/16 measuring an extent of 1 Acre in Kadaiyaperumputhur-II Village (D) old Ambasamudram Taluk, now Tenkasi Taluk. Tenkasi District for Ramanathi-Jambunathi combined canal scheme and determine the sale consideration and till completion of said process restraining them interfere the petitioner possession of the above mentioned property.

In all Writ Petitions:

For Petitioners	: Mr.T.Antony Arulraj
For Respondents	: Mrs.Vaishnavi, Government Advocate

C O M M O N O R D E R

Since the issue involved in all these writ petitions are one and the same, they are disposed of by this common order.

2. These Writ Petitions have been filed for the issue of Writ of Mandamus directing the respondents to complete the process of private negotiation entered into with the petitioners for the purpose of acquiring the patta lands belonging to the petitioners in the subject properties after determining the sale consideration.

3. The grievance of the petitioners is that the petitioners had given consent to enter into private negotiation for the purpose of acquiring their lands after fixing the appropriate sale consideration. However, without completing this process, steps were taken to interfere with the possession and enjoyment of the property belonging to the petitioners. Hence, the present writ petitions have been filed before this Court.

4. Learned Government Advocate appearing on behalf of the respondents submitted that the total compensation amount is yet to be sanctioned and therefore, it will take some more time to finalise the private negotiations with the parties.



5. Heard Mr.T.Antony Arulraj, learned counsel for the petitioners and Mrs.Vaishnavi, learned Government Advocate for the respondents in all the three writ petitions.

6. In view of the specific stand taken by the respondents, there shall be a direction to the respondents not to interfere with the possession and enjoyment of the properties belonging to the petitioners till the private negotiation is finalised and the sale consideration is paid to the petitioners and the petitioners execute documents in favour of the Department.

7. These Writ Petitions are disposed of with the above directions. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (T&P)

// 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,
Tenkasi District Collectorate Office, Tenkasi.
- 2.The Executive Engineer,
Public Works Department - Water Resources Organisation,
Special Project, Tirunelveli - 11
- 3.The Assistant Executive Engineer,
Public Works Department- Water Resources Organisation,
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- 5) The Tahsildar,
Taluk Office,
Tenkasi, Tenkasi District.



WP(MD)Nos.4905, 4909 & 4910 of 2021

+1 CC to M/s.T.ANTONY ARUL RAJ, Advocate (SR-17990[F] dated
29/04/2021)

+1 CC to M/s.SPL GP (SR-18263[F] dated 30/04/2021)

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