



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.02.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.1763 of 2022

K.Selvamuthukumar

... Petitioner

Vs.

The Special Tahsildar, (Land Acquisition),
National Highways No.45-A,
Tharangambadi,
Mayiladuthurai District.

... Respondent

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the Respondent to disburse the petitioners remaining award amount of Rs.11,45,133/- for the property acquired from him for the formation of four way track in National Highway No.45-A, comprised in S.No.175/13B, Mamakudi Village and Post, Tharangambadi Taluk, Mayiladuthurai District within the time frame fixed by this Hon'ble Court.

For Petitioner : Mr.D.Kumaralingam

For Respondent : Mr.M.Muthusamy
Government Advocate

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the Respondent to disburse the petitioner's remaining award amount of Rs.11,45,133/- for the property acquired from him for the formation of four way track in National Highway No.45-A, comprised in S.No.175/13B, Mamakudi Village and Post, Tharangambadi Taluk, Mayiladuthurai District within the time frame fixed by this Court.

2.The case of the petitioner is that the petitioner is the owner of the property comprised in S.No.175/13B, Mamakudi Village and Post, Tharangambadi Taluk, Mayiladuthurai District and his cousin brother Ramalingam is the owner of the property comprised in S.No.175/14B. The respondent acquired the entire



property of the petitioner and his cousin brother for the formation of four way track in National Highway No.45-A and fixed the award amount of Rs.23,76,795/- for the petitioner's property and a sum of Rs.86,530/- for his cousin brother's property, and based on the false claim made by his cousin brother, paid half of the award amount to his cousin brother. Hence, the petitioner made representation to the respondent to pay the balance award amount and since the same has not yet been considered, has filed this writ petition.

3.The learned counsel appearing for the petitioner submitted that this Court may issue direction to the respondent to disburse the balance award amount of Rs.11,45,133/- to the petitioner by considering his representation dated 11.10.2021, within a reasonable time frame.

4.The learned Government Advocate appearing for the respondent submitted that one Ramalingam made false claim and collected the award amount, hence the amount will be recovered from the said Ramalingam and will be paid to the petitioner.

5.Admittedly, the petitioner's property was acquired for public purpose and award amount was also fixed. Hence, this Court directs the respondent to pay the balance award amount of Rs.11,45,133/- to the petitioner by considering his representation dated 11.10.2021, if not already paid, within a period of six weeks from the date of receipt of a copy of this order. This writ petition is accordingly disposed of. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

pri

To

The Special Tahsildar, (Land Acquisition),
National Highways No.45-A,
Tharangambadi,
Mayiladuthurai District.

+2cc to Mr.D.Kumaralingam, Advocate, S.R.No.8382
+1cc to the Government Pleader, S.R.No.8997

W.P.No.1763 of 2022

GPL(CO)
CT/23/02/2021