

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.06.2022

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P. No.14499 of 2022

R.Shanmugam

...Petitioner

vs.

1. The District Collector,
Land Acquisition Officer,
Cuddalore District.
2. The Special Deputy Collector (LA)
Land Acquisition,
M.K.Colony, Mandarakuppam,
Neyveli-2, Cuddalore District.

3. V.Sulochana

...Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India, to issue an order or direction or Writ and in particular Writ in the nature of a Writ of Mandamus directing the respondents 1 & 2 to deposit the compensation award amount in award No.01 of 2022 in proceedings No.L4/791/2011 dated 27.01.2022 in O.S.No.32 of 2021 pending before the Additional District Munsif Court-I, Vriddhachalam, Cuddalore District.

For Petitioner : Mr. T.Meganathan

For Respondents : Mr.P.Sathish
Additional Government Pleader

ORDER

The petitioner has filed this petition seeking a direction to the respondents 1 & 2 to deposit the compensation award amount in award No.01 of 2022 in proceedings No.L4/791/2011 dated 27.01.2022 in O.S.No.32 of 2021 pending before the Additional District Munsif Court-I, Vriddhachalam, Cuddalore District.

2.The facts of the case are as follows:
The land in S.No.31/1 New Survey No.31/1b measuring to an extent of 0.66 ½ cents situated at O.Adhanur, Sathapadi Post,

Vridhachalam Taluk, Cuddalore District, is the ancestral property of the petitioner. The respondents 1 & 2 were acquired the above said land for NLC, for which, an award was passed for the acquisition, but the award amount has not been paid to the petitioner as the third respondent has filed a suit in O.S.No.32/2021 before the Additional District Munsif Court-I, Vriddhachalam, Cuddalore against the petitioner for permanent injunction and declaration. Till date, the compensation amount was not deposited. Hence, the petitioner filed the present writ petition before this Court for appropriate remedy.

3.The learned counsel for the petitioner submitted that this Court may issue a direction to the respondents 1 & 2 to deposit the entire amount to the credit of the suit in O.S.no.32 of 2021 before the learned Additional Munsif, Vridhichalam. Therefore, the succeeding party shall withdraw the compensation amount.

4.Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing on behalf of the respondents and perused the materials available on record.

5.Considering the facts and circumstances of the case and the fair submission made by the learned counsel for the petitioner, this Court directs the respondents 1 & 2 to deposit the compensation amount in respect of the above said property to the credit of suit in O.S.No.32 of 2021 before the learned Additional Munsif, Vridhichalam within a period of twelve weeks from the date of receipt of a copy of this order, if not deposited already. Further, liberty is granted to the succeeding party to work out their remedy in the manner known to law, if they are not satisfied with the compensation.

6. With the above directions, the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

Rli

To

1. The District Collector,
Land Acquisition Officer,
Cuddalore District.

2. The Special Deputy Collector (LA)
Land Acquisition,
M.K.Colony, Mandarakuppam,
Neyveli-2, Cuddalore District.

+1cc to M/s.T.Meganathan, Advocate, S.R.No.38442

+1cc to the Government Pleader, S.R.No.38983

W.P. No.14499 of 2022

SJ(CO)
RGA(18/07/2022)