

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.06.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.14274 OF 2022

S.Padmavathy

... Petitioner

.Vs.

1. The Secretary to Government,
Adi Dravidar & Tribal Welfare,
Secretariat, Fort St. George,
Chennai - 600 001.
2. The Director,
Adi Dravidar & Tribal Welfare,
Ezhilagam Chepauk,
Chennai - 600 005.
3. The District Collector,
Collectorate,
Tirupattur.
4. The District Adidraavidar Welfare Officer,
Tirupattur District.
5. The Special Tahsildar (ADW),
Krishnagiri Main Road,
Tirupattur Town & District.

... Respondents

PRAYER:-

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to pay compensation for the acquisition of land belonging to the petitioner's husband, Late B.Selvaraj as determined by the Sub-Court, Tirupattur in L.A.A.6/1996 connected with L.A.A.3/2004 dated 25.04.2005 and for consequential orders.

For Petitioner : Mr.V.Raghavachari

For Respondents : Mr.G.Krishna Raja
Additional Government Pleader

O R D E R

This petition has been filed for issuance of Writ of Mandamus to direct the respondents to pay compensation for the acquisition of land belonging to the petitioner's husband, Late B.Selvaraj as determined by the Sub-Court, Tirupattur in L.A.A.6/1996 connected with L.A.A.3/2004 dated 25.04.2005.

2. The case of the petitioner is that the petitioner's lands were acquired by the 5th respondent for the benefit of providing house sites to the houseless Arundhadiars of Pallavalli Village and the said land is situated at S.F.No.198, Pallavalli Village, hamlet of Perumapattu Village, Tirupattur Village, admeasuring 51 cents and further the award was passed by the 5th respondent, wherein the total amount of compensation awarded by the 5th respondent is Rs.26,393/-. It is the grievance of the petitioner that since the compensation awarded by the 5th respondent was undervalued, her husband had preferred L.A.A 6/1996, on the file of the Sub Court, Tirupattur, for enhancement of compensation and the Sub Court, Tirupattur vide its judgment and decree dated 25.04.2005, had enhanced the compensation to Rs.5 per sq.ft along with other statutory benefits as contemplated under the Harijan Welfare Schemes and the said decree has attained finality. Subsequent to the decree, the petitioner's husband also had preferred an Execution Petition to execute the decree in E.P.No.134/2005 and pending E.P., her husband passed away leaving behind the petitioner as a sole legal heir. Aggrieved by the non payment of enhanced compensation and other statutory benefits as determined by the Sub Court, Tirupattur, the petitioner is before this Court by filing this writ petition.

3. The learned counsel appearing for the petitioner submitted that it would suffice if this Court issues direction to the 5th respondent to pay the entire compensation amount as decreed by the Sub Court, Tirupattur, within a reasonable time as fixed by this Court.

4. The learned Additional Government Pleader appearing for the official respondents undertakes that as per the decree, the amount will be deposited within a period of eight weeks from the date of receipt of a copy of this order.

5. In view of the above submission made by the learned Additional Government Pleader, this Court issues direction to the 5th respondent to deposit the entire compensation amount as per the decree dated 25.04.2005 in L.A.A.No.6/1996, on the file of the Sub Court, Tirupattur, within a period of eight weeks from the date of receipt of a copy of this order.

6. This Writ Petition is disposed of with the above observations. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary to Government,
Adi Dravidar & Tribal Welfare,
Secretariat, Fort St. George,
Chennai - 600 001.
2. The Director,
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Ezhilagam Chepauk,
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Tirupattur District.
5. The Special Tahsildar (ADW),
Krishnagiri Main Road,
Tirupattur Town & District.

+1cc to Mr.V.Raghavachari, Advocate, S.R.No.33457
+1cc to the Government Pleader, S.R.No.34614

W.P.NO.14274 OF 2022

RSV(CO)
PBS/28/06/2022