



W.M.P.No. 21870 of 2021

in

W.P. No.32085 of 2019

V.BHARATHIDASAN, J.

This Writ Miscellaneous Petition has been filed to record the 1st petitioner as legal representative of deceased 2nd petitioner.

2. Both the petitioners have filed a Writ Petition seeking payment of enhanced compensation relating to land acquisition proceedings. This Court by an order dated 29.07.2021 disposed of the Writ Petition with a direction, the relevant portion of the order reads as follows :-

“9. Considering all those submissions, as the entire enhanced compensation has been deposited before this court, the Registrar General is directed to issue a cheque for a sum of Rs.20,10,980/- in favour of Mr.M.Ravikumar and Mr.M.Sivakkumar, who are petitioners in W.P.No.32085 of 2019, to issue a cheque for a sum of Rs.2,41,096/- in favour of Mr.R.Govindan, who is a petitioner in W.P.No.4499 of 2021, and to issue a cheque for a sum of Rs.72,00,363/- in favour of Mr.A.P.Duraisamy Naidu, who is a petitioner in W.P.No.4497 of 2021 and hand over the cheques to the respective counsel appearing



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for petitioners.

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12. *Considering his submissions, if the compensation is yet to be paid, the 1st respondent Special Tahsildar is directed to pay compensation to the claimants within a period of eight weeks from the date of receipt of copy of this order.*

13. *So far as the contentions of Mr.G.Surya Narayanan regarding quantum of compensation payable to the petitioners, if at all, any difference, it is open to them to approach the 1st respondent Special Tahsildar with a representation along with calculation memo within a period of two weeks from the date of receipt of this order and if any representation is made, the 1st respondent is directed to consider the same and pass suitable orders within a period of eight weeks thereafter.”*

Now, it is stated that, the 2nd petitioner viz., M. Sivakumar died on 23.05.2021, due to covid-19, even before the order passed by this court and the same was not brought to the notice of the learned counsel for petitioner, at that time, order being passed by this court. Hence, he was not in a position to submit the same before this court, an affidavit has been filed to that effect.



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3. According to the petitioner, the 2nd petitioner is an unmarried person and both of his parents died long ago, the 1st petitioner is the brother of 2nd petitioner and he is the only legal representative of deceased M.Sivakumar. In the above circumstances, the 1st petitioner sought to record him as legal representative of the deceased 2nd petitioner M.Sivakumar, and 3rd respondent be directed to issue the cheque in favour of 1st petitioner.

4. Earlier, when the matter came up for hearing, the learned Government Advocate appearing for respondents was directed to verify whether any other legal representatives are available to the deceased 2nd petitioner.

5. Today, when the matter taken up for hearing, learned Government Advocate has filed a status report along with documents stating that the 2nd petitioner M.Sivakumar died on 23.05.2021, he was an unmarried person and the 1st petitioner is the only legal representative of



deceased 2nd petitioner.

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6. Considering his report, this petition is ordered and the 1st petitioner is recorded as legal representative of deceased 2nd petitioner.

7. The Registrar General is directed to issue the cheque for the entire amount payable to the petitioners in favour of 1st petitioner.

06.01.2022

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N.B. : Issue order copy on 10.01.2022



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