



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2022

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.29972 of 2019

1.M.Sivakumar
2.M.Palani
3.M.Saravanan

... Petitioners

-Vs-

1.The Commissioner for Land Administration,
Government of Tamilnadu, Land
Administration Department,
Ezhilagam, Chennai
2.The District Collector,
Collectorate Complex,
Vengikkal, Tiruvannamalai
3.The District Revenue Officer,
O/o.DRO, Collectorate Complex,
Vengikkal,
Tiruvannamalai

... Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to consider the petitioners' representation dated 08.07.2019 requesting to deposit the balance award amount of Rs.70,62,380/- as on September 2013 along with subsequent interest in LAOP.No.61 of 1988 on the file of Principal Subordinate Court, Tiruvannamalai.

For Petitioners : Mr.V.Prakash Babu

For Respondents : Mr.M.Muthusamy,
Government Advocate

ORDER

The Writ Petition has been filed for direction directing the respondents to consider the petitioners' representation dated 08.07.2019 requesting to deposit the balance award amount of Rs.70,62,380/- as on September 2013 along with subsequent interest in LAOP.No.61 of 1988 on the file of Principal Subordinate Court, Tiruvannamalai.

2. Heard, Mr.V.Prakash Babu, the learned counsel for the



petitioners, and Mr.M.Muthusamy, Government Advocate appearing for the respondents.

3. The case of the petitioners is that the property owned by the petitioners was acquired in the year 1987 and award was passed. The said award was referred to the Sub Court, Tiruvannamalai for enhancement of compensation in LAOP.No.61 of 1988. The Sub Court, Tiruvannamalai enhanced the compensation amount at Rs.1,20,21,955/- with 30% solatium subsequent interest at the rate of 9% per annum. Aggrieved by the same, the respondents had preferred appeal before this Court in AS.No.1024 of 1995 and this Court confirmed the award passed by the Sub Court, Tiruvannamalai by the judgment and decree dated 01.02.2010. The authority concerned had already deposited a portion of award amount to the tune of Rs.49,64,636/- and the balance award amount has not been paid and it is pending in REP.No.43 of 2014 in LAOP.No.61 of 1988. The respondents did not file counter and as such the order of attachment made on 23.07.2019. Though in the EP proceedings, notice was served on the respondents, order of attachment has not been executed till today. Therefore, the petitioners made representation to the respondents to deposit the balance award amount.

4. Considering the above, the third respondent is directed to deposit the balance award amount as per the order passed in LAOP.No.61 of 1988 on the file of the Principal Sub Court, Tiruvannamalai within a period of four weeks from the date of receipt of copy of this order, if not already deposited.

5. With the above direction, this writ petition is disposed of. No order as to costs.

Sd/-
Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

lok

To

1.The Commissioner for Land Administration,
Government of Tamilnadu, Land
Administration Department,
Ezhilagam, Chennai

2.The District Collector,
Collectorate Complex,
Vengikkal, Tiruvannamalai



3.The District Revenue Officer,
O/o.DRO, Collectorate Complex,
Vengikkal,
Tiruvannamalai

4. The Principal Subordinate Judge,
Thiruvannamalai.

+1cc to Mr.V.Prakash Babu, Advocate, S.R.No.6318

+1cc to the Government Pleader, S.R.No.6840 (26/05/2022)

W.P. No.29972 of 2019

SS(CO)

SB(03/03/2022)