



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.01.2022

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P. NO.26727 OF 2021

Elumalaii

... Petitioner

-Vs-

1. The Special Tahsildhar,
Unit IV, Mamallapuram,
Pondicherry Highway CORRDOR,
Chengleput - 603 001.

2. Indira

... Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the first respondent to deposit the award amount/compensation, if any, in respect of acquisition of property ad measuring an extent of 1.58 acres, comprised in Survey No.340/1, Village No.62, Mudaliarkuppam, Village, Idaikkazhinadu Special Panchayat, Chithamoor Union, Cheyyur Taluk, Kancheepuram District, in the Court pending the disposal of the suit bearing O.S.No.326 of 2019 pending on the file of the III Additional District Court at Chengalpet.

For Petitioner	: Mr.L.Dhamodharan
For Respondents	
For R1	: Ms.D.Tamilselvi Additional Government Pleader
For R2	: Mr.K.M.Anand

ORDER

The Writ Petition has been filed to direct the first respondent to deposit the award amount/compensation, if any, in respect of acquisition of property ad measuring an extent of 1.58 acres, comprised in Survey No.340/1, Village No.62, Mudaliarkuppam, Village, Idaikkazhinadu Special Panchayat, Chithamoor Union, Cheyyur Taluk, Kancheepuram District, in the Court pending the disposal of the suit bearing O.S.No.326 of



2019 pending on the file of the III Additional District Court at Chengalpet.

2. Heard Mr.L.Dhamodharan, learned counsel appearing for the petitioner, Ms.D.Tamilselvi, learned Additional Government Pleader appearing for the first respondent and Mr.K.M.Anand, learned counsel appearing for the second respondent.

3. The learned Additional Government Advocate appearing for the first respondent would submit that, while pending the Writ Petition, the first respondent conducted enquiry on 17.12.2021 and concluded that the petitioner already filed suit in O.S.No.326 of 2019 on the file of the Additional District Court, Chengalpattu for specific performance in respect of the subject property, and it is pending. Therefore, the compensation amount will be disbursed subject to the result of the said suit.

4. Considering the above, the first respondent is directed to disburse the compensation amount either to the petitioner or to the second respondent subject to the result of the suit in O.S.No.326 of 2019 on the file of the Additional District Court, Chengalpattu.

5. With the above direction, the Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

rts

To

1. The Special Tahsildhar,
Unit IV, Mamallapuram,
Pondicherry Highway CORRDOR,
Chengleput - 603 001.
2. The III Additional District Judge,
Chengalpattu.

+1cc to M/s.L.Dhamodharan, Advocate, S.R.No.3256

+1cc to M/s.K.M.Anand, Advocate, S.R.No.3203

+1cc to the Government Pleader, S.R.No.3705

W.P.No.26727 of 2021

KSM(CO)

RLP(10/02/2022)