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W.P.No.30992 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2022

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.30992 of 2022

The Karnataka Bank Limited
Representd by its Branch Manager,
Thiruvallur Branch,
No.53, TNHB Main Road,
Kakkalur By Pass,
Thiruvallur – 602 001.

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
Rep. by its Secretary to Government,
Public Works (Buildings, Highways
and Minor Ports) Department,
Secretariat,
Chennai – 600 009.
- 2.Special District Revenue Officer (LA),
Chennai Peripheral Ring Road Project (CPRRP),
Administrative Building,
Ground Floor,
SIPCOT Branch Office,
Ambattur Estate,
Chennai – 600 058.
- 3.Special District Revenue Officer
Chennai Peripheral Ring Road Project,
Ambattur,
SIDDCO Industrial Shopping Complex,
Ambattur Industrial Estate,
Chennai – 600 053.



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4.Special Thasildar (Unit IV),
Land Acquisition,
Chennai Peripheral Ring Road Project, Phase III,
Periyakuppam,
Thiruvallur – 602 001.

5.P.Uma
6.B.Sunitha

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing respondents 2 to 4 to deposit the compensation amount due for the mortgaged property acquired for the purpose of laying Chennai Peripheral Road to the petitioner Bank which has been mortgaged to the petitioner by the 5th respondent, in the 5th respondent Loan account in terms of the petitioner representation dated 10.11.2021 for effective recovery of public money.

For Petitioner : Mr.P.Elanya Rajkumar
for M/s.Ramalingam and Associates

For Respondents : Mr.B.Vijay
Additional Government Pleader

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the respondents 2 to 4 to deposit



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compensation amount due for the mortgaged property acquired for the purpose of laying Chennai Peripheral Road to the petitioner Bank which has been mortgaged to the petitioner by the fifth respondent, in the fifth respondent's loan account in terms of the petitioner's representation dated 10.11.2021 for effective recovery of public money.

2.The learned counsel appearing for the petitioner Bank submitted that the petitioner Bank sanctioned loan in favour of the fifth respondent vide loan agreement dated 10.05.2018, pursuant to which, the fifth respondent executed demand promissory note in favour of the petitioner on the same day and subsequently deposited the title deeds with the petitioner Bank. Thereafter the petitioner came to know that the mortgaged property was acquired for the purpose of laying Chennai Peripheral Ring Road under the Tamil Nadu Highways Act, 2001 and the Official respondents are taking effective steps to disburse the compensation amount, ignoring the loan account.



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3.The learned counsel appearing for the petitioner further submitted that the petitioner Bank may be permitted to participate in

the award enquiry conducted by the second respondent and this Court may issue direction to the second respondent to hear the petitioner as well as the fifth respondent in terms of Section 19 of the Tamil Nadu Highways Act, 2001 and in terms of Section 73 (2) of the Transfer of Property Act, 1882 and to pass appropriate orders, within a reasonable time frame.

4.The learned Additional Government Pleader submitted that the petitioner Bank may be permitted to participate in the award enquiry conducted by the second respondent.

5.In view of the consent view expressed by the learned Additional Government Pleader, this Court permits the petitioner Bank to make appropriate application before the second respondent, within a period of two weeks from the date of receipt of a copy of this order. If any such application is made by the petitioner Bank, the second respondent is directed to consider the same, hear the petitioner and the fifth respondent and pass appropriate orders, in accordance with



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6.The writ petition is accordingly disposed of. No costs.

24.11.2022

pri

Speaking Order/ Non Speaking Order

Index: Yes/ No

Internet: Yes/ No

To

- 1.The Secretary to Government,
Public Works (Buildings, Highways
and Minor Ports) Department,
Secretariat,
Chennai – 600 009.
- 2.The Special District Revenue Officer (LA),
Chennai Peripheral Ring Road Project (CPRRP),
Administrative Building,
Ground Floor,
SIPCOT Branch Office,
Ambattur Estate,
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- 3.The Special District Revenue Officer
Chennai Peripheral Ring Road Project,
Ambattur,
SIDDCO Industrial Shopping Complex,
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Chennai – 600 053.
- 4.The Special Thasildar (Unit IV),
Land Acquisition,

5/6



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Chennai Peripheral Ring Road Project, Phase III,
Periyakuppam,
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M.DHANDAPANI,J.
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