

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.08.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.13956 of 2022
and
W.M.P.(MD)No.9931 of 2022

VR.Paramasivam

... Petitioner

Vs.

1.The District Collector,
Sivagangai District.

2.The Authorised Officer Cum
Special District Revenue Officer,
(Land Acquisition for National Highways),
Ramanthapuram.

3.The Special Tahsildar,
(Land Acquisition),
210, National Highways Office,
Devakottai, Sivagangai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order of the 3rd respondent in Na.Ka.A1/01/2021 dated 19.11.2021 and quash the same and consequently direct the respondents herein to disburse the balance compensation amount of Rs.12,28,127/- as per the Memorandum of Family Arrangement dated

12.01.2012 as well as Consent Statement dated 29.10.2019 by the legal heirs in favour of petitioner.

For Petitioner : Mr.S.Srinivasa Raghavan

For Respondents : Mr.K.Balasubramani,
Spl. Government Pleader.

ORDER

Heard the learned counsel on either side.

2.The petition mentioned property belonged to Mr.NL.VR.Veerappan. He was blessed with five sons and seven daughters. The said property was acquired under the provisions of National Highways Act, 1956. The compensation payable to the petitioner was duly determined and disbursed. The shares payable to the male heirs was also paid. However, the shares payable to the female heirs was not paid and kept in deposit. When the petitioner approached the third respondent, the impugned memorandum dated 19.10.2021 was passed.

3.The reason for filing the present writ petition is that the daughters have already relinquished their share in favour of sons. In order to satisfy my conscience, I called upon the petitioner to produce undertaking affidavits of the petitioner's siblings who are alive and the son of the deceased sibling before

this Court. Such affidavits have been produced before this Court. I call upon the petitioner to file the same before the third respondent. Thereupon, the third respondent will act in terms of the petition mentioned family arrangement. He wil divide the amount earmarked for the female heir sharers into five shares and credit the same in the respective accounts of the male legal heirs. This exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

4.The writ petition is allowed on these terms. No costs. Consequently, connected miscellaneous petition is closed.

25.08.2022

Index : Yes / No
Internet : Yes/ No
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To:

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G.R.SWAMINATHAN, J.

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