



W.P.No.7981 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.11.2023

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.7981 of 2021

and

WMP.Nos.8541 & 8542 of 2021

A.Pushpa

...

Petitioner

/vs/

1.The Commissioner of Land Administration
Ezhilagam, Chepauk, Chennai-600 005.

2.The District Collector,
Office of Collectorate,
Kanchipuram District.

3.The Special Tahsildar(Land Acquisition)
SIPCOT Office, Sriperumbudur.

4.The Branch Manager,
STATE BANK OF INDIA
Thyagaraya Nagar Branch,
No.157, Gopathi Narayanaswami
Chetty Road, Parthasarathipuram,
T.Nagar, Chennai – 600 017.

5.B.Ravikumar

...

Respondents



W.P.No.7981 of 2021

PRAYER : The writ petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus forbearing the respondents 1 to 3 from disbursing any compensation to the 5th respondent as per award dated 07.07.2020 & 31.12.2020 bearing Na.Ka.14/2014/Aa & Na.Ka.No.12/2014/Aa without receiving the original title documents of the acquired lands and till the disposal of the suit in O.S.No.47 of 2017 on the file of the Sub Judge, Kanchipuram.

For Petitioner	...	Mr.E.Elumalai
For Respondent Nos.1 to 3	...	Mr.P.Kumaresan Additional Advocate General Assisted by Mr.V.Veluchamy Additional Government Pleader
For Respondent No.4	...	Mr.B.Sivakollayan
For Respondent No.5	...	Mr.S.R.Rajagopal Senior Advocate

ORDER

This writ petition has been filed to issue a Writ of Mandamus forbearing the respondents 1 to 3 from disbursing any compensation to the 5th respondent, as per award dated 07.07.2020 & 31.12.2020 bearing Na.Ka.14/2014/Aa & Na.Ka.No.12/2014/Aa, without receiving the original title documents of the acquired lands and till the disposal of the suit in O.S.No.47 of 2017 on the file of the Sub Judge, Kanchipuram.



W.P.No.7981 of 2021

WEB COPY

2.The writ petitioner herself admitted that she has filed a civil suit regarding execution of the sale deed and also the validity of the sale deed and for passing of sale consideration.

3.The private respondent has stated that the original owner has not challenged the same and only Power Agent is challenging the sale, however, during the pendency of this writ petition, already a portion of the amount has been disbursed to the 5th respondent, for which, the writ petitioner herein filed the contempt petition for violation of the interim order passed by this Court, which is the subject matter of the contempt petition.

4.Under the above circumstances, this Court does not want to discuss the disbursement of the amount, but however, the learned Additional Advocate General assisted by Additional Government Pleader submitted that a portion of the amount has not been so far disbursed. Since the petitioner has raised the dispute regarding title, the official respondents



W.P.No.7981 of 2021

are directed to deposit the amount before the civil Court and let the civil Court decide the rights and title of the party and disburse that amount after deciding that issue and regarding the disbursement of the amount, the petitioner is at liberty to work out her remedy before the contempt Court and regarding the rights and title, the petitioner is at liberty to workout her remedy before the civil Court and the official respondents are directed to deposit the amount before the civil Court and the same may be intimated to the petitioner and the private respondent, within a period of one month from the date of receipt of a copy of this order.

With the above directions, the writ petition is disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

Index : Yes/No

16.11.2023

speaking order: Yes/No

Neutral Citation: Yes/No

sms

Note: Issue order copy on 04.01.2024

To

1.The Commissioner of Land Administration
Ezhilagam, Chepauk, Chennai-600 005.

2.The District Collector,
Office of Collectorate,Kanchipuram District.



W.P.No.7981 of 2021

3.The Special Tahsildar(Land Acquisition)
SIPCOT Office, Sriperumbudur.

4.The Branch Manager,
STATE BANK OF INDIA
Thyagaraya Nagar Branch,
No.157, Gopathi Narayanaswami
Chetty Road, Parthasarathipuram,
T.Nagar, Chennai – 600 017.



WEB COPY



W.P.No.7981 of 2021

P.VELMURUGAN,J.

sms

W.P.No.7981 of 2021
and
WMP.Nos.8541 & 8542 of 2021

16.11.2023