



WEB COPY

W.P.No.11986 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.08.2023

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.11986 of 2018 &
W.M.P.No.13969 of 2018

Ramalingam @ Vinayagam

... Petitioner

Vs.

1.Union of India

Represented by Secretary to
Government (Revenue),
Puducherry.

2.The Deputy Collector(Revenue),
North cum Land Acquisition Officer,
Puducherry.

3.Paramasivam

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the entire records relating to the Award passed L.A.O.P. No.6 of 2016 on 04.08.2017 on the file of the Learned II Additional District Judge at Puducherry and quashing the same and further directing the Respondents 1 and 2 disburse the compensation amount of Rs.63,06,106/- together with interest to the petitioner.



For Petitioner : Mr.S.Subramanian

For Respondents 1 & 2 : No apperance

For Respondent 3 : Mr.M.Gnanasekar

ORDER

The award dated 04.08.2017 passed in LAOP No.6 of 2016 is under challenge in the present writ petition.

2. The petitioner seeks further direction to the respondents 1 and 2 to disburse the compensation amount of Rs.63,06,106/- along with interest.

3. It is not in dispute that the lands belonged to the petitioner was acquired for public purposes. A reference was made in LAOP.No.6 of 2016 and the Court passed an award granting compensation of Rs.63,06,106/-. The said amount had already been deposited by the authorities. There is a civil dispute pending between the petitioner and the third respondent in O.S.No.1337 of 2006 and O.S.No.939 of 2013 and the said suits are pending before the learned II Additional District Munsif Court at Puducherry.

4. During the pendency of the civil suits, the authorities may not be in a position to disburse the compensation to any one of the parties. In such



circumstances, either of the parties is entitled to claim compensation, based on the decree to be passed by the Civil Court. During the pendency of the civil suits between the parties, the compensation amount granted cannot be disbursed and therefore, the parties are at liberty to claim the compensation amount, after the disposal of the civil suits and reaching finality, regarding the disputes pending between the petitioner and the third respondent or any other party.

5. At the outset, after resolving the civil disputes between the parties, either of the parties is at liberty to approach the competent forum for the purpose of withdrawal of the compensation amount by following the procedures as contemplated.

6. With these clarifications, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

09.08.2023

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Index : Yes

Neutral Citation : Yes

Speaking order



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- To
1. Secretary to Government (Revenue),
Puducherry.
 2. The Deputy Collector (Revenue),
North cum Land Acquisition Officer,
Puducherry.



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S.M.SUBRAMANIAM, J.

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