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W.P.No.13562 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.06.2023

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.13562 of 2023

M/s.ALMCO Properties Private Limited,
Registered office at Flat No.T3 (Third Floor),
Bliss Homes, Plot Nos.18 & 19, R.E.Nagar,
1st Main Road, Thoraipakkam, Chennai – 600 097,
Represented by its Authorized Signatory

... Petitioner

Vs.

- 1.Power Grid Corporation of India Limited,
B-9, Qutab Institutional Area, Katwaria Sarai,
New Delhi – 110 016.
- 2.The Executive Director,
Power Grid Corporation of India Limited,
Southern Region Transmission System – II RHQ,
Near RTO Driving Test Track, Singanayakanahalli,
Yelahanka Hobli, Bengaluru – 560 064.
- 3.The Senior Deputy General Manager,
320 kV HVDC Pugalur – Thrissur Transmission Line,
Power Grid Corporation of India Limited,
Palladam, TLC Office, 28B-2, 1st Floor, Pollachi Road,
P.Vadugapalayam, Palladam – 641 664, Tiruppur District. ... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India
for issuance of a Writ of Mandamus, directing the respondents herein to



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forthwith release the compensation amount of Rs.17,96,007/- being the compensation determined for utilization of the lands by the respondents in S.No.126/2B and 127/1, Nallatipalayam Village, Pollachi Taluk, Kinathukadavu Sub-registration District, Tiruppur Registration District in favour of the petitioner company with applicable interest from the date of determination of compensation.

For Petitioner : Mr.B.Prashanth Nadaraj

For Respondents : Mr.M.Kalyanaraman
for M/s.Aiyar & Dolia

ORDER

This Writ Petition has been filed seeking for a Writ of Mandamus, to direct the respondents herein to forthwith release the compensation amount of Rs.17,96,007/- being the compensation determined for utilization of the lands by the respondents in S.No.126/2B and 127/1, Nallatipalayam Village, Pollachi Taluk, Kinathukadavu Sub-registration District, Tiruppur Registration District in favour of the petitioner company with applicable interest from the date of determination of compensation.

2. The case of the petitioner is that, it is a Company and the first respondent has utilized the petitioner-Company's lands for erecting High Tension Towers. They have assessed compensation of a sum of



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Rs.1,91,05,465/-, out of which, a sum of Rs.17,96,007/- is yet to be paid to the petitioner-Company as compensation for utilization of lands in Survey Nos.126/2B and 127/1. Despite several reminders, the respondents have withheld the amount. Therefore, for payment of the compensation in respect of the above said two survey numbers, the present writ petition is filed.

3. The learned counsel for the petitioner submits that, the petitioner-Company is ready to produce necessary documents except the patta issued by the Revenue Department, since patta is not a title as per the law laid down by this Court. Accordingly, he prays that this Court may issue a direction to the respondents to pay the compensation to the petitioner after satisfaction of the title owned by the petitioner.

4. The learned Additional Government Pleader appearing for the respondents submits that appropriate orders will be passed by the respondents upon satisfaction of the title owned by the petitioner, as expeditiously as possible.



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5. In view of the fair submissions made by the learned counsel for the petitioner, this Court, without going into the merits of the case, directs the petitioner-Company to submit necessary documents to prove its title, except patta before the respondents, within a period of two (2) weeks from the date of receipt of a copy of this order and upon receipt of the same, the respondents are directed to conduct enquiry between the petitioner as well as the rival claimants, if any and pass appropriate orders, on merits and in accordance with law, upon satisfaction of the title, within a period of six weeks thereafter.

6. With the above directions, the Writ Petition is disposed of. No costs.

07.06.2023

Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes / No
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