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W.P.No.23549 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 15.11.2023

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THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P.No.23549 of 2023

S.Ramesh Prabakar

.. Petitioner

Versus

The Sub-Collector (Revenue)
Government of Puducherry,
South-Cum-Land Acquisition Officer (LA-NHAI),
Villianur, Puducherry.

.. Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus to direct the respondent to disburse an award amount to the petitioner as per proceedings of the respondent in his proceedings No.100616/DCRS/LA/NHAI/2021BHR/07 dated 20.07.2021 determined award amount Rs.11,01,356 and 9,50,377/- together with Rs.20,51,733/- as on date accrued interest.

For Petitioner : Mr.A.S.Mujibur Rahman

For Respondent : Mr.Ramaswamy Meyyappan
Government Advocate (Pondy)



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ORDER

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The writ petition has been filed seeking a direction to the respondent to disburse the award as per the proceedings No.100616/DCRS/LA/NHAI/2021BHR/07 dated 20.07.2021.

2 The learned Government Advocate (Pondicherry) for the respondent would submit that there is dispute over the title of the property and there is doubt about the ownership of the property and hence the entire compensation amount has been deposited before the Civil Court and suit is also pending before the Principal District Munsif, Puducherry, in which the petitioner arrayed as party.

3 The learned counsel appearing for the petitioner would submit that the suit said to have been pending before the Principal District Munsif, Puducherry is only for bare injunction and the same is nothing to the with the present acquisition proceedings.

4 Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Pondicherry) and perused the materials available on record.



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In view of the submissions made by the learned Government Advocate (Pondicherry) for the respondent and the documents filed by him to prove the fact that the award amount has been deposited before the Civil Court, since there is dispute over the title of the property and also the civil suit is also pending, the petitioner is at liberty to workout his remedy in the manner known to law.

6 In the result, the writ petition stands disposed of . No costs.

15.11.2023

Index: Yes/No
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To

The Sub-Collector (Revenue)
Government of Puducherry,
South-Cum-Land Acquisition Officer (LA-NHAI),
Villianur, Puducherry.



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P.VELMURUGAN, J.,

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