



W.P.No.25878 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.25878 of 2023

C.R.Anantharaman

.. Petitioner

Versus

1. The Competent Authority,
Special District Revenue Officer (LA)(FAC),
National Highways-716B, Tiruvallur.

2. V.S.Ramesh
3. Meera

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the first respondent to disburse the award amount passed in terms of Award No.28 of 2021 in Rc.No.143/2020/LA/NH-716B, Unit-IV dated 10.12.2021 by considering the petitioner's representation dated 20.07.2023.

For Petitioners : Mr.Ma.Pa.Thangavel

For Respondents : Mr.P.Gurunathan
Additional Government Pleader for R1
Mr.V.S.Ramesh – R2 - Party in person
Mr.T.Nixon for R3



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ORDER

This writ petition has been filed to direct the first respondent to disburse the award amount passed in terms of Award No.28 of 2021 in Rc.No.143/2020/LA/NH-716B, Unit-IV dated 10.12.2021 by considering the petitioner's representation dated 20.07.2023.

2 According to the writ petitioner his father owned lands in Vadamadurai Village, Uthukottai Taluk, Tiruvallur District and he settled some of them to the properties to this writ petitioner and some of the properties to his daughter and the second respondent is husband of the daughter. As per the partition deeds dated 14.06.2017 and 14.03.2018 the writ petitioner and his sister are put in possession and enjoyment of the properties. While so, the land in SF.No.413/1A to the entire extent of 0.081 cents in Vadamudurai Village, Uthukottai Taluk, Tiruvallur District for forming NH-716 and after due process of law the Award was also came to be passed on 10.12.2021 in Award No.28/2021. The second and third respondents made objections before the first respondent to disburse the Award amount by suppressing the materials facts. In spite of summons, the second and third respondents have failed to appear



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before the first respondent. Therefore the first respondent holding the award amount without any valid reason and hence the present writ petition.

3 Mr.V.S.Ramesh, the second respondent, who appeared in person argued that as against the writ petitioner suit has been filed for recovery of money and the interlocutory application to attach the Award amount is also pending before Civil Court. Therefore, suppressing all these facts, the petitioner is trying to get the Award amount, which should not be entertained.

4 Heard the learned counsel appearing for the petitioner and the second respondent and perused the materials available on record.

5 The parties are agitating right over the property, which was acquired and Award was also passed. It is seen that even though the first respondent passed Award, they have not passed any final order regarding disbursement of Award amount. Therefore direction is issued to the first respondent to pass final orders regarding disbursement of award amount after giving notice to the interested parties and conducting enquiry in the manner known to law within a period of two months from the date of receipt of a copy of this order. If the first respondent finds that there is dispute over the right and



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title of the property acquired, they may refer the same to the Civil Court in accordance with law.

6 With the above directions, this writ petition stands disposed of. No costs.

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.11.2023

Index: Yes/No
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To

The Competent Authority,
Special District Revenue Officer (LA)(FAC),
National Highways-716B, Tiruvallur



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P.VELMURUGAN, J.,

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