



W.P.No.29341 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.11.2023

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THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.29341 of 2023

A.Manikannan

... Petitioner

versus

1.The District Collector,
Cuddalore District,
Cuddalore.

2.The Competent Authority &
Special District Revenue Officer,
(Land Acquisition),
National Highways-45C,
Villupuram.

3.The Special Tahsildhar,
Land Acquisition,
National Highways – 45C,
Panruti Phase -I,
Panruti.

.....Respondents

Writ Petition filed under Article 226 of Constitution of India, to
issue a Writ of Mandamus directing the respondents to pay and deposit the
Land Acquisition Compensation in respect of the acquisition of lands of Sri



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Peyaridum Ayyanar Temple and for the removal of Idols therein in Marungur Village Survey No.187/6, Panruti Taluk, in the Temple account of Sri Peyaridum Ayyanar Thirukoil Trust represented by Hereditary Trustee in Union Bank of India, Neyveli Branch, Account No.279712010000769.

For Petitioner : Mr.N.Suresh

For Respondents : Mr.P.Gurunathan
Additional Government Pleader

ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus directing the respondents to pay and deposit the Land Acquisition Compensation in respect of the acquisition of lands of Sri Peyaridum Ayyanar Temple and for removal of Idols in Survey No.187/6, Marungur Village, Panruti Taluk.

2. The learned counsel for the petitioner submitted that the petitioner is the Hereditary Trustee of Sri Peyaridum Ayyanar Thirukoil as per the order of the Joint Commissioner, Hindu Religious and Charitable

Endowments Department dated 17.04.2023 in O.A.No.3 of 2021. Further, a

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portion of the property in S.No.187/6 measuring an extent of 500 sq.mts has been acquired by the National Highways Department for expansion of NH 45 C. While so, the lands and idols of the temple were removed by the Land Acquisition Authorities in the year 2016 itself, however, no compensation is yet to be paid or deposited in the temple account. Hence, the petitioner as a hereditary trustee of the said temple has given representations on various dates, including the latest representation on 22.06.2023 seeking compensation. However, no action has been taken so far. Hence, the petitioner is before this Court.

3. The learned Additional Government Pleader appearing for the respondents, by referring the counter affidavit filed by the second respondent, contended that there is a dispute between the parties regarding disbursement of compensation amount and hence, the second respondent is not in a position to disburse the compensation.

4. Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents and also perused the materials available on record.

5. Having regard to the submissions made by the learned counsel on



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either side, this Court is of the opinion that since there are rival claimants, the respondents are directed to conduct an enquiry and decide the matter on merits and in accordance with law, after giving notice to all the interested parties including rival claimants, within a period of three months from today.

6. Accordingly, this writ petition is disposed of. There shall be no order as to costs.

16.11.2023

Note : Issue order copy by 17.11.2023

Index: Yes/No

Speaking Order/Non-Speaking Order

Neutral Citation Case : Yes/No

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To

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Villupuram.
- 3.The Special Tahsildhar,
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P.VELMURUGAN, J.

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