



W.P.No.32941 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.11.2023

CORAM

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P.No.32941 of 2023

T.Venkatamma

... Petitioner

Vs.

1. The District Collector,
Collector Office Road,
Krishnagiri District,
Krishnagiri- 635 115.

2. The Tahsildar
Hosur Taluk,
Krishnagiri District,
Krishnagiri-635 109.

3. M.Rajappa

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, directing the respondents 1 and 2 herein to conduct enquiry with regard to the Original Owner for the property situated in Survey No.213/ 3 in Thorappalli Agraharam Village, Hosur Taluk, Hosur to an extent of 64 Cents, Consequently Pay the enhanced amount awarded in L.A.O.P. No.42 of 2004 to the Petitioner.



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For Petitioners : Mr.S.Sheik Thanveer Ahmed

For Respondents : Mr.V.Veluchamy,
Additional Government Pleader,
(for R1 & R2)

ORDER

The writ petition is filed in the nature of Mandamus, seeking direction for the respondents, to consider the petitioner's representation.

2.Mr.V.Veluchamy, learned Additional Government Pleader, takes notice on behalf of the respondents 1 and 2. There is no adverse order passed against the 3rd respondent, therefore, Notice to the 3rd respondent thereby is to be considered.

3. The facts in brief are that the property which was situated in Survey No.213/3 in Thorappalli Agraharam Village, Hosur Taluk, Hosur was originally allotted in favour of the petitioner's grandfather Mr.M.Muniappa, son of Muninanjappa Thasildhar, and it was taken by the Government by way of initiating Land Acquisition proceedings on 01.07.1994 and the petitioner received the compensation. Thereafter, the



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petitioner states that the third respondent, who is a third party without having any right over the property has filed a Land Acquisition Original Petition and got the excess compensation from the Government which is illegal and the Authorities has to conduct inquiry and pay the excess compensation to the petitioner's family members.

4. The petitioner states that due to illegality committed by the Third Respondent, the petitioner has sent details to the 1st and 2nd Respondents on 01.09.2023 to conduct enquiry and also to pay the enhanced amount awarded to the Petitioner's family but till today no action has been taken by the Official Respondents. Hence the petitioner is constrained to move the present writ petition.

5. The respondents are directed consider the representation of the petitioner by issuing notice to the petitioner as well as the private respondent and the interested parties / rival claimants, if any, and thereafter, conduct inquiry in the manner known to law and pass appropriate orders on merit and in accordance with law. The said exercise shall be completed within a period of two months from the date of receipt of a copy of this order.



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However, there shall be no order as to costs.

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Index : Yes

Speaking Order : Yes / No

Neutral Citation : Yes / No
(sha)

To

1. The District Collector,
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2. The Tahsildar
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P.VELMURUGAN. J.,

(sha)

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