



W.P.(MD) No.3633 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.06.2023

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.3633 of 2020

and

W.M.P(MD) Nos.3069 and 3070 of 2020

R.Ayyanakutty

... Petitioner

Vs.

- 1.The District Revenue Officer,
Dindigul District,
Dindigul.
- 2.The Revenue Divisional Officer,
Palani,
Dindigul District.
- 3.The Tahsildar,
Taluk Office,
Ottanchathiram Taluk,
Dindigul District.
- 4.The Special Thasildar (Land Acquisition),
National Highways No.209,
Ottanchatiram,
Dindigul District.



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5.M.Nallasamy

6.D.Muthuraj

... Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus, calling for the records of the first respondent pertaining to his proceedings in Na.Ka.No. 109/2013/A dated 23.07.2019 and quash the same and consequently direct the respondents 1 to 4 herein to forthwith pay the compensation as fixed for the acquisition of the lands measuring an extent of 3650 sq.meters in Survey No.746/2 of Ottanchatiram Village and Taluk, Dindigul District.

For Petitioner : Mr.K.Saravanan

For R1 to R4 : Mr.J.John Rajadurai
Government Advocate

For R5 : Mr.D.Venkatesh

For R6 : Mr.T.Vadivelan



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ORDER

This Writ petition is filed for issuance of writ of certiorarified mandamus calling for the records of the first respondent pertaining to his proceedings in Na.Ka.No.109/2013/A, dated 23.07.2019 and quash the same and consequently, direct the respondents 1 to 4 herein to forthwith pay the compensation as fixed for the acquisition of the lands measuring an extent of 3650 sq.meters in Survey No.746/2 of Ottanchatiram Village and Taluk, Dindigul District.

2. Without traversing through the merits or otherwise of the case on hand, the attention of this Court was brought to the suit in O.S.No.104 of 2021 now pending before the District Court, Dindigul, where the petitioner herein shown as second defendant. The suit is filed by the fifth respondent and others for declaration and to allot the share of the plaintiffs therein in the compensation awarded. The writ petition has been filed only with reference to this compensation amount.



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3. Considering the fact that the parties are already before the civil Court, interest of justice would be served if the parties are directed to workout their remedy before the Civil Court, namely, the District Court, Dindigul, in O.S.No.104 of 2021.

4. Accordingly, this writ petition is disposed of with a direction that the parties shall workout their remedy before the Civil Court, where the suit is now pending. No costs. Consequently, connected miscellaneous petitions are closed.

13.06.2023

NCC : Yes/No
Index : Yes/No
Internet : Yes/No
cp

To

- 1.The District Revenue Officer,
Dindigul District,
Dindigul.
- 2.The Revenue Divisional Officer,
Palani,
Dindigul District.



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- 3.The Tahsildar,
Taluk Office,
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Dindigul District.
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P.T.ASHA, J.

cp

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