



W.P.(MD)No.6621 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.11.2023

C O R A M

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.6621 of 2021

and

W.M.P.(MD)No.5127 of 2021

The Chatelier Trust,
Rep by its Managing Trustee,
Michael Chatelier at Michael Paul Chatelier,
Having Office at Teachers Home,
2, New Natham Road,
Madurai - 625 002.
Petitioner

...

-VS-

- 1.The Project Director,
National Highway Commission,
Suriya Towers, 2nd Floor,
K.K.Nagar, Madurai
- 2.The Authorized Officer-cum-
District Revenue Officer (Land Acquisition),
National Highways No. 785,
Madurai-Natham, Madurai.
- 3.The Special Thasildar (Land Acquisition) (Incharge),
National Highways No. 744A,
Unit-VI, Tirumangalam-Cum-Madurai-Natham,
National Highways No.785, Unit-I,
Madurai.

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4.The Secretary of Teachers Home,
Ramnad, Virudhunagar, Sivagangai
District Teacher Welfare Association,
No.2, New Natham Road,
Chinna Chokkikulam,
Madurai - 625 002.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to consider the petitioner's claim for compensation for acquisition of their building in Old T.S.No.934/3 and New T.S.No.4471/2 Madurai Town, Madurai, based on the petitioner's, representation dated 11.03.2021.

For Petitioner	:	Mr.AN.Ramanathan
For R1	:	Mr.S.Sankarapandian for M/s.C.Arul Vadivel Associates
For R2 and R3	:	Ms.D.Farjana Ghoushia Special Government Pleader
For R4	:	Mr.T.Lajapathi Roy Senior Counsel for M/s.Lajapathi Roy Associates

ORDER

This Writ Petition was filed for a direction to the respondents 1 to 3 to consider the claim made by the petitioner seeking for compensation for acquiring the building, based on the representation made by the petitioner on 11.03.2021.



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2. When the matter came up for hearing on 16.10.2023, this Court after considering the submissions made by the learned counsel on either side and the materials available on record, suggested that some compromise can be arrived at between the parties for sharing the compensation amount payable for the superstructure. Accordingly, the learned counsel appearing on either side also sought for some time to explore the possibility of compromise.

3. When the matter was taken up for hearing today, the learned counsel appearing on either side submitted that there was a compromise between the petitioner and the fourth respondent. The parties were also present before this Court. A joint compromise affidavit was filed before this Court. The relevant portions in the affidavit are extracted hereunder:-

"2. It is humbly submitted that pending writ petition, there was negotiation between both parties and the following settlement were arrived:-

i) A sum of Rs.72,05,332/- (Rupees Seventy Two Lakhs Five Thousand Three Hundred and Thirty Two Only) was fixed as compensation for the building by the 2nd respondent vide proceedings in Na.Ka.No.53/2019/A2 dated 21.10.2020. Due to the pendency of the above writ petition, the same was referred to adjudication before IV Additional District Court, Madurai, and taken on file in



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L.A.O.P.No.137 of 2021. The above mentioned compensation amount was deposited before the concerned Court. As on date, summons were issued in L.A.O.P.No. 137 of 2021 and the same is pending.

ii) The writ petitioner and the 4th respondent association will share the above mentioned compensation amount with accrued interest on 50:50 ratio.

It is therefore, humbly prayed that this Hon'ble Court may be pleased to record the above terms and issue suitable directions to the learned IV Additional District Court, Madurai, for early disbursement of compensation amount in 50:50 ratio to the writ petitioner and the 4th respondent in L.A.O.P.No.137 of 2021 and thus render justice."

4. This Writ Petition is disposed of in terms of the compromise arrived at between the petitioner and the fourth respondent and the joint compromise affidavit shall form part of this order. In view of this compromise, it is left open to the petitioner and the fourth respondent to file an application before the IV Additional District Court, Madurai, where the compensation amount has already been deposited in L.A.O.P.No.137 of 2021. The said application shall be entertained by the Court and the petitioner and the fourth respondent



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shall be permitted to withdraw 50% each from the compensation amount with accrued interest, if any. The learned IV Additional District Judge, Madurai, shall pass appropriate orders in the application, within a period of four weeks from the date of filing of the application. No costs. Consequently, connected Miscellaneous Petition is closed.

NCC : Yes/No

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Index : Yes/No

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Copy to:

The IV Additional District Judge, Madurai.

To

- 1.The Project Director,
National Highway Commission,
Suriya Towers, 2nd Floor,
K.K.Nagar, Madurai
- 2.The Authorized Officer-cum-
District Revenue Officer (Land Acquisition),
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N.ANAND VENKATESH, J.

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