



W.P(MD)No.9923 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.04.2023

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.9923 of 2023

A.Ravichandran

... Petitioner

Vs.

1.The District Collector
Madurai District,
Madurai.

2.The Deputy General Manger (T)
and Project Director,
National Highways Authority of India,
Near Mattuthavani Bus Stand,
Madurai.

3.The Special Tahsildar
Land Acquisition Office,
5-A Baskar Complex, First Floor,
Ramamoorthisalai,
Vadipatti Taluk Head Office,
Madurai - 2.

4.V.P.Raju Thevar

... Respondents



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PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 1 to 3 to recover the compensation amount paid to the fourth respondent for the piece of land acquired in Survey No.135/4 and Survey No.136/2 comprised in Kallanai Village, Vadipatti Taluk, Madurai District and consequently direct the respondents 1 to 3 to take necessary action against the fourth respondent based on the complaint given by the petitioner on 03.02.2023.

For Petitioner : Mr.Syed Mohammed Bhadhusa

For Respondents : Mr.J.Ashok - for R1 & R3
Additional Government Pleader

M/s.P.Karthica - for R2
Standing Counsel

ORDER

The writ petition has been filed in the nature of a Mandamus seeking a direction to the respondents 1 to 3 to recover the compensation



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amount paid to the fourth respondent for land which had been acquired in survey Nos.135/4 and 136/2 in Kallanai Village, Vadipatti Taluk, Madurai District.

2. The petitioner had given a power of attorney with respect to the aforementioned lands to the daughter-in-law of the fourth respondent. Taking advantage of that particular document, the daughter-in-law had sold the lands to the fourth respondent.

3. It is claimed by the learned counsel for the petitioner that the power of attorney was cancelled even before the sale deed was executed. However, it is informed that the fourth respondent had also filed a civil suit against the petitioner herein and had obtained an exparte decree. The petitioner had filed an application to set aside the exparte decree which was dismissed and Revision Petition has also been preferred and the same had been dismissed.

4. This Court under Article 226 of the Constitution of India, cannot grant the relief sought, as the rights of the petitioner had been



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adjudicated by the petitioner by the civil forum. Even without issuing notice to the fourth respondent, the Writ Petition stands dismissed. No costs.

26.04.2023

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

RM

To

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C.V.KARTHIKEYAN, J.

RM

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