



W.P. (MD).No.17335 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 08.11.2023

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD).No.17335 of 2021

Perumal

... Petitioner

Vs

1. The Additional Chief Secretary,
Public Works Department,
Government of Tamil Nadu,
Kamrajar Promenade, PWD Estate,
Chepauk, Triplicane, Chennai 600 005.
2. The Sub-Collector,
Cheranmahadevi, Tirunelveli.
3. The Special Tahsildar,
(Land Acquisition), River Water Linking Project Phase-3,
Nanguneri, Tirunelveli District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 2 and 3 to consider the petitioner representation, dated 27.08.2021 by forwarding petitioner's name and the names of his family members to the 1st respondent in order to include their names in the list of



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persons, whose land are proposed to be acquired for Kanadian Kalvai river linking project, vide G.O.(Ms) No.267, Public Works (B-2) Department, dated 02.11.2020 of Government of Tamil Nadu.

For Petitioner : Mr. V.Angusamy

For Respondents : Mr.K.S.Selva Ganesan
Additional Government Pleader

ORDER

This writ petition has been filed for the issue of a writ of mandamus, directing the second and third respondents to consider the representation made by the petitioner on 27.08.2021, wherein, the petitioner is requesting for including his name and the names of his family members for the purpose of getting compensation for the proposed acquisition of lands for the Kanadian Kalvai River Linking Project.

2.The learned Additional Government Pleader appearing on behalf of the respondents based on written instructions, submitted that the compensation amount will be paid only to the pattadhar, in whose name Patta stands with respect to the subject property. In the present case, the property belonged to the grandfather of the petitioner and the



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Patta was also issued in his name. He died and the petitioner and others are claiming the right under the grandfather as his legal heirs.

3. Under such circumstances, the third respondent shall ascertain the legal heirs of deceased Subramanian Nadar, who is the grandfather of the petitioner, by conducting an enquiry. The compensation shall be ultimately paid to the legal heirs, by including their names in the list of persons, whose lands are being acquired for the project. Therefore, the petitioner is directed to file a fresh representation to the third respondent and the third respondent is directed to conduct an enquiry by providing opportunity to all the concerned persons and act in line with the above observations made by this Court.

4. With the above terms, this writ petition stands disposed of.

No costs.

08.11.2023

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



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N.ANAND VENKATESH, J.

PNM

**ORDER IN
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