



W.P(MD)No.19666 of 2014

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 06.04.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.19666 of 2014 and
MP(MD) No.2 of 2014

1.R.Selvarani
2.B.Indhurani
3.S.Murugan

...Petitioners

Vs.

1.The Authorised Officer cum Special
District Revenue Officer,
(Land Acquisition -Highways),
Theni.

2.The Special Tahsildar,
(Land Acquisition),
NH 45 EX and 200 Alagu 11,
Thendral Nagar,
Uthamapalayam,
Theni District.

3.M.Kamuthurai
4.V.Sankar

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing



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the respondents 1 and 2 herein to disburse the due compensation for acquisition of the land in S.No.887/2 measuring 1.18 acres situated at Veerapandi Village, Theni Taluk, Theni District, as per the representation of the petitioner, dated 20.08.2014 within the reasonable time as may be fixed by this Court.

For Petitioners	: Mr.K.Appadurai
For R1 & R2	: Mr.D.Fajma Ghoshia
	Special Government Pleader

ORDER

The petitioner has filed this writ petition claiming compensation for the lands in Survey No.887/2 of Veerapandi Village, Theni to an extent of 2925 sq.metres, which have been acquired by the second respondent for the purpose of NH 220.

2.The grievance of the petitioner is that the petitioner's mother is the owner of the land in Survey No.887/2. Patta for the said land stands in the name of the petitioner's mother. However, the respondent has not disbursed the compensation to the petitioner for the above lands acquired by them.



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3.The learned Special Government Pleader appearing for the respondents submits that the patta for the land in Survey No. 887/2 stands in the name of one Kamadurai and neither this petitioner nor his mother is having any right and title over the land and therefore, the compensation cannot be granted to them. He further submits that the compensation amount for the above land for a sum of Rs.2,79,259/- was also disbursed to the said Kamadurai. Being not satisfied with the award, the said Kamadurai has preferred an Arbitration Original Petition in AOP No.82 of 2015, wherein the earlier award was confirmed on 15.04.2015. The said Kamadurai has also received the amount.

4.In view of the specific stand taken by the respondent that this petitioner is not the owner of the subject land and the compensation for the subject land has already been handed over to the original owner of the land, this writ petition is dismissed. However, liberty is granted to the petitioner to institute a suit



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impleading the said Kamadurai as a party to establish his right over the property in the manner known to law. No Costs. Consequently, connected Miscellaneous Petition is closed.

06.04.2023

NCC : Yes / No.
Index : Yes / No.
Internet : Yes / No.
vrn

To

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B.PUGALENDHI, J.

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