



W.P(MD)No.11154 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 10.07.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

**W.P(MD)No.11154 of 2015
and
W.M.P.(MD)No.1 of 2015**

Ramya

... Petitioner

Vs.

- 1.The District Collector,
Ramanathapuram District,
Ramanathapuram.
- 2.The District Revenue Office (Special),
Land Acquisition for National Highways (NH-49),
Ramanathapuram District,
Ramanathapuram.
- 3.The Special Tahsildar,
Land Acquisition (Unit-II),
National Highways (NH-49),
Ramanathapuram District,
Ramanathapuram.
- 4.Pappammal
- 5.Karthigairani
- 6.Selvi
- 7.Gnanasoundari

1/4



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8.Devi.

9.Kannan

10.A.Subramanian

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the 1st to 3rd respondents not to disburse the award amount of Land Acquisition compensation in respect of 7/12th undivided share of lands comprised in Survey No.199/6A, 199/6B and 199/9 till disposal of the partition suit in O.S.No.41/2013 on the file of the Learned District Munsif, Ramanathapuram on the basis of the petitioner's representation dated 25.6.2015 & 26.6.2015.

For Petitioner : Mr.R.Murugan

For Respondents : Mr.D.Gandhiraj

Special Government Pleader for R1 to R3

: Mr.R.R.Thomothur Raj for R4, R5, R7 to R10

: no appearance for R6

ORDER

Heard the learned counsel on either side.

2. The prayer made in the writ petition is that till the disposal of the partition suit in O.S.No.41 of 2013 on the file of the District Munsif Court, Ramanathapuram, the land acquisition compensation should not



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be disbursed. Such prayer is not maintainable. It is well settled that final prayer in a writ proceedings cannot be in the nature of interim relief. That apart, the authority himself had taken the very same view. It was not necessary for the petitioner to file a writ petition at all. The rights of the parties will abide by the outcome of the civil suit.

3. With this observation, the Writ Petition is dismissed. No costs.

10.07.2023

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

- 1.The District Collector,
Ramanathapuram District,
Ramanathapuram.
- 2.The District Revenue Office (Special),
Land Acquisition for National Highways (NH-49),
Ramanathapuram District,
Ramanathapuram.
- 3.The Special Tahsildar,
Land Acquisition (Unit-II),
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