



W.P(MD).No. 8849 of 2014

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.02.2023

CORAM

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

W.P(MD)No.8849 of 2014

1. Sri Sarguru Rajayoga Thirumadam Trust
Represented by its Secretary Mr.Ayyasamy,
S/o. Sankara Narayanan
Aged 63 years,
No.110, Thimaraya Samuthiram,
Thiruvanaikoil Post,
Trichirappalli – 5.

2. V.Manickam
3. S.Ayyasamy
4. K.Selvakumar

..... Petitioners

- Vs-

1. The State of Tamil Nadu,
Represented by the District Collector,
District Collector Office Campus,
Trichirappalli.

2. The State Highways Department,
Represented by its Land Acquisition Officer,
The District Revenue Officer,
Trichirappalli District,
District Collector's Office Campus,
Trichirappalli.



W.P(MD).No. 8849 of 2014

3. The Revenue Divisional Officer,
District Collector Office Campus,
Trichirappalli.

4. The Thasildar,
Srirangam Taluk Office,
Thiruvanaikoil,
Trichy – 5.

5. S.Dinesh Kumar

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to consider the representation dated 12.03.2014 and for the objections of the petitioners, who are holding and managing the Trust property and conduct a fair inquiry regarding the petitioners for the compensation amount, before the acquisition of its property.

For Petitioners : M/s.T.Banumathy

For Respondents : Mr.G.Siva Raja
Government Advocate
for R1 to R3

ORDER

This writ petition has been filed seeking for a Writ of Mandamus, directing the respondents to consider the representation of the petitioners dated 12.03.2014 and the objections of the petitioners, who are holding and



W.P(MD).No. 8849 of 2014

WEB COPY

managing the Trust property and conduct a fair inquiry regarding the petitioners for the compensation amount, before the acquisition of its property.

2. The case of the petitioners is that the land belongs to the Trust had been acquired for the State Highways project and that the fifth respondent herein is also claiming title over the land and that the civil suits are pending against the parties viz., the petitioners and the fifth respondent.

3. Today, when the matter is taken up for hearing, the learned Government Advocate appearing for the respondents 1 to 3 had produced the written instructions given by the second respondent, dated 24.02.2023. From the same it is seen that since there was a dispute as regards to the title of the property the amount has been directed to kept in revenue deposit. But however, by proceedings of the District Revenue Officer, dated 07.01.2021, it has been recorded that the amount has been kept in the account of the Revenue Tahsildar, Srirangam. Once the land has been acquired and award has been passed and when it is brought to the notice that there are claims from various persons in respect of the same land, the Land Acquisition



W.P(MD).No. 8849 of 2014

Officer ought to have deposited the award amount before the appropriate reference Court and it is for the concerned Court to decide on the title of the property and thereafter, disburse the amount to the rightful person.

4. In this case, the authorities have kept the award amount in their custody and had not made any reference as stipulated under the Land Acquisition Act 1894. Therefore, there shall be a direction to the second respondent, who is the Land Acquisition Officer to forward the amount awarded in respect of the land in T.S.No.2056/A2 of Ward No. B, Block 44 of Thimmaraya Samudram Village, before the appropriate reference Court within a period of four weeks from the date of receipt of a copy of this order and intimate the same to the petitioners and the fifth respondent.

5. With the above said direction, this Writ Petition is disposed of.
There shall be no order as to costs.

28.02.2023

NCC: Yes / No

Index : Yes / No

Internet : Yes / No



W.P(MD).No. 8849 of 2014

ebsi
WEB COPY

To

1. The District Collector,
District Collector Office Campus,
Trichirappalli.
2. The State Highways Department,
Represented by its Land Acquisition Officer,
The District Revenue Officer,
Trichirappalli District,
District Collector's Office Campus,
Trichirappalli.
3. The Revenue Divisional Officer,
District Collector Office Campus,
Trichirappalli.
4. The Thasildar,
Srirangam Taluk Office,
Thiruvanaikoil,
Trichy – 5.



WEB COPY



W.P(MD).No. 8849 of 2014

K.KUMARESH BABU, J.

ebsi

Order made in
W.P(MD)No. 8849 of 2014

28.02.2023