



W.P(MD).No. 17846 of 2015

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.03.2023

CORAM

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

W.P(MD)No.17846 of 2015

1. Koodammal (died)
2. Shanmugam
3. Subbiah
4. Ponraj
5. Bose (died)
6. S.Kalimuthu
7. Selliammal
8. Nathar (Died)

9. Mariammal

(P-9 is substituted as legal heirs of deceased
P-1 vide order of this Court dated 02.03.2023
in W.M.P(MD) No.4292/2023 in W.P(MD)
No.17846 of 2015)

10. Gandhimathi
11. Rajapandian
12. Rajalakshmi

(Petitioners 10 to 12 are substituted as legal heirs of deceased
P-5 vide order of this Court dated 02.03.2023 in
W.M.P(MD) No.4294 of 2023 in W.P(MD)
No.17846 of 2015)



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13. Asha Mariyam

14. Kathuva Mohideen

15. Shakila Banu

16. Kasira @ Mahalakshmi

(Petitioners 13 to 16 are substituted as legal heirs of deceased

P-8 vide order of this Court dated 02.03.2023 in

W.M.P(MD) No.4295 of 2023 in W.P(MD)

No.17846 of 2015)

..... Petitioners

- Vs-

The Revenue Divisional Officer,

Sivakasi,

Virudhunagar District.

... Respondent

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to disburse the compensation amount of Rs.1200/- per Cent together with the statutory benefits within a time to be stipulated by this Court based on the representation dated 10.07.2013.

For Petitioners

: Mr.A.Sivaji

For Respondent

: Mr.M. Prakash

Additional Government Pleader

ORDER

The prayer in the writ petition is directing the respondent to disburse the compensation amount of Rs.1,200/- (Rupees One thousand and Two hundred only) per cent as fixed by the reference Court and confirmed by this



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Court in A.S.Nos.110 of 2006 etc., batch of cases.

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2. Pending writ petition, the learned Additional Government Pleader appearing for the respondent, on instructions, would submit that the compensation amount, a sum of Rs.1,200/- (Rupees One Thousand and Two Hundred only) per cent has been deposited before the reference Court to the credit of L.A.O.P.Nos. 35 to 39 of 2001. Even according to them, the amount of Rs.3,40,528/- (Rupees Three Lakhs Forty Thousand Five Hundred and Twenty Eight only) had been deducted towards TDS.

3. The learned counsel appearing for the petitioners would submit that there can be no deduction of TDS that is paid towards the compensation for compulsory acquisition of land. He would also submit that there is a question of apportionment between the petitioners, they may be at liberty to take appropriate steps before the concerned reference Court for seeking apportionment and also for seeking the respondent to deposit the amount that had been deducted towards TDS.

4. Since the amount had already been deposited before the reference



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Court, no further adjudication is required to be made in this petition.

Accordingly, this Writ Petition is closed, but however, with liberty is given to the petitioners as sought for by the learned counsel for the petitioners stated supra. There shall be no order as to costs.

02.03.2023

NCC: Yes / No

(2/2)

Index : Yes / No

Internet : Yes / No

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To

The Revenue Divisional Officer,
Sivakasi,
Virudhunagar District.



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K.KUMARESH BABU, J.

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Order made in
W.P(MD)No. 17846 of 2015

02.03.2023
(2/2)