



W.P.(MD) No.19717 of 2015.

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **03.01.2023**

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THE HONOURABLE MR.JUSTICE **K.KUMARESH BABU**

W.P.(MD) No.19717 of 2015

T.Selvanayagi

... Petitioner

/vs./

1.The District Collector,
Dindigul,
Dindigul District.

2.The Special Tahsildar,
National Highway No.209, (Byepass),
Taluk Office,
Ottanchitram,
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents not to disburse the compensation for acquiring the property in Survey No.376/3 and 381/1 in Ottanchitram Village, Dindigul District to any one other than the petitioner by considering the petitioner's representation dated 22.09.2015 within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.S.C.Herold Singh



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For Respondents : Mr.V.OM.Prakash
Government Advocate

ORDER

The prayer in this writ petition is seeking for a Mandamus not to disburse the compensation amount in respect of the property in S.Nos.376/3 and 381/1 in Ottanchitram Village, Dindigul District, which was acquired by the respondents for laying of National Highway, by considering the representation of the petitioner dated 22.09.2015.

2.The petitioner had made a representation to the first respondent claiming that the property, which has been acquired by the second respondent, belongs to the petitioner's husband by way of partition. However, the father of the petitioner's husband is trying to take away the compensation depriving the petitioner a share in the compensation. This complaint has also been received by the Office of the first respondent, as the same is reflected in the communication of the first respondent dated 30.09.2015 asking the second respondent to take appropriate actions on various petitions including that of the petitioner, which shown as item No.4 in the said communication.



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3.Mr.V.OM.Prakash, learned Government Advocate for the respondents would submit that the amount is deposited under the bank account of the District Revenue Officer, Dindigul.

4.Since there is a dispute as regards to the title of the property, the second respondent is directed to deposit the award amount before the appropriate Court for adjudicating as to who is entitled to receive the compensation. The petitioner shall approach the appropriate Court seeking for the relief.

5.With the above directions, the Writ Petition is disposed of. However, there shall be no order as to costs.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No
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03.01.2023

To

1.The District Collector,
Dindigul,
Dindigul District.

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K.KUMARESH BABU, J.

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