



WP (MD) No.22500 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.09.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.22500 of 2023

M.Veerammal

... Petitioner

Vs

1.The District Collector,
Dindigul District, Dindigul.

2.The Revenue Divisional Officer,
Dindigul District, Dindigul.

3.The Tahsildar,
Dindigul.

4.The Special Thasildar,
Adi Dravidar Welfare Department,
Dindigul West Taluk, Dindigul.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a writ of mandamus forbearing the 4th respondent from illegally acquiring the petitioner's landed property of an extent of 53 cents comprised in Old Survey No.242 /3D, New Survey Village, Dindigul West Taluk, Dindigul District without following the due process of law and for other reliefs.

For petitioner : Mr.J.Lawrance

For Respondents : Mr.M.Sarangan,
Additional Government Pleader



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ORDER

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The petitioner with a grievance that the compensation amount for the land in Old.S.No.242/3D, New S.No.242/13 of Kuttathupatti Village has not been paid to the petitioner has submitted a representation to the respondents and filed this writ petition.

2.The learned Additional Government Pleader based on the instructions submits that the compensation award for the above land has already been paid to one Thirumalai Samy, who is the vendor of the petitioner and therefore, this writ petition is not maintainable.

3.On the contrary the learned Counsel for the petitioner disputed that the said Thirumalai Samy is in now way connected to the petitioner's property and the petitioner has already filed a civil suit and obtained a decree in OS.No.3 of 1996 on the file the II Additional District Munsif Court, Dindigul and it was confirmed in the appeal filed by the 4th respondent in AS.No.176 of 1999 on the file of the Principal Sub Court, Dindigul.



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4.This Court considered the rival submissions and perused the materials placed on record.

5.The respondents claim that the compensation award for the land acquired has been paid to one Thirumalai Samy, who is the vendor of the petitioner. However, the petitioner disputes that she has filed a civil suit and has obtained a decree and it has also been confirmed by the appellate Court.

6.Considering the above submission, this writ petition is disposed of with a direction to the petitioner to submit a representation along with a copy of the judgment and decree passed in OS.No.3 of 1996 by II Additional District Munsif Court, Dindigul and AS.No.176 of 1999 by the Principal Sub Court, Dindigul within a period of four weeks from the date of receipt of a copy of this order, to the 4th respondent and on receipt of the same, the 4th respondent shall take a decision within a period of eight weeks therefrom. No costs.

27.09.2023

dsk



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To

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Dindigul.
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B.PUGALENDHI, J.

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