



**W.P(MD)No.22746 of 2023**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 19.09.2023**

**CORAM:**

**THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

**W.P(MD)No.22746 of 2023**

Kanagaraj

... Petitioner

**Vs**

- 1.The District Collector,  
District Collector Office,  
Tuticorin District.
- 2.The Revenue Divisional Officer,  
Revenue Divisional Office,  
Kovilpatti, Tuticorin District.
- 3.The Special Tahsildar,  
Office of the Special Tahsildar,  
Railway Land Acquisition,  
Madurai to Thoothukudi Via.,  
Arupukottai new broadkage Rail Road Project,  
Etaiyapuram, Thoothukudi.
- 4.The Tahsildar,  
Ottapidaram Taluk Office,  
Tuticorin District.

...Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus directing the respondents to consider the representation to give the compensation to the petitioner or



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delivery the physical possession of the property of the petitioner based on the petitioner representation 21.09.2022.

For Petitioner :Mr.S.Arumugam  
For Respondents :Mr.M.Sarangan  
Additional Government Pleader

### **ORDER**

The petitioner with a grievance that compensation has not been provided for the land which has been acquired from him has submitted a representation before the respondents on 21.09.2022 and filed this writ petition for a mandamus to consider his representation.

2. The learned Additional Government Pleader appearing for the respondents submitted that the land in survey No.262/2 was acquired for the industrial purpose in the year 2015. Though this petitioner claims that he has purchased the property from one Muniyammal and Karuppayeeammal, who are the original owner of the land, he has not taken any steps to mutate the revenue records. The patta stands in the name of Muniyammal and Karupayeeammal and an enquiry was conducted by the authorities by issuing a notice to the original owners, in whose name the revenue records stands and awarded the compensation to the legal heirs of the Muniyammal and Karupayeeammal.



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3. This Court considered the rival submissions made.

4. It may be a mistake on the part of the petitioner in failing to mutate the revenue records. There is no dispute that the petitioner is the real owner and therefore, the respondents ought to have conduct an enquiry and if the award is wrongly paid to the petitioner's vendor shall recover the same and paid to the petitioner.

5. This Court directs the respondents to conduct an enquiry with regard to the claim of the petitioner after issuing notice to the persons, who have already received the compensation and to pass necessary orders within a period of four months from the date of receipt of a copy of this order. No costs.

NCC : Yes / No.

Index : Yes / No.

Internet: Yes

am

**19.09.2023**



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**B.PUGALENDHI, J.**

am

**Order made in**  
**W.P(MD)No.22746 of 2023**

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