



W.P(MD)No.25348 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 01.12.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.25348 of 2023

Kasinathan

... Petitioner

Vs.

1.The Special Tahsildar,
National Highways Land Acquisition,
Madurai District.

2.The Branch Manager,
UCO Bank,
Navinipatti Brnach,
Melur Taluk,
Madurai District.

3.Devaki

4.Kaathamal

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st and 2nd respondents to release the land acquisition award for the sum of Rs.11,27,373/- deposited by the 1st respondent in N.A.T.A.No.338 in the saving bank account No.15033211018384 of 4th respondent towards compensation of the acquisition of the land comprised in survey Nos.335/10CBA and 335/10C1 in Sarukuvalaiyapatti Village, Melur



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Taluk, Madurai District ad measuring 14.20 ares and 0.5 ares for expansion of Melur - Karaikudi National Highway.

For Petitioner : Mr.S.A.Ajmalkhan

For Respondents : Mr.C.Satheesh,
Government Advocate for R1.
Mr.K.Periasamy for R2.
Mr.C.KM.Appaji for R3 & R4.

ORDER

Heard the learned counsel on either side.

2.The third respondent filed W.P.(MD)No.26554 of 2022 but the same was dismissed as withdrawn on 01.12.2023. The fourth respondent/ Kathaammal is sailing with the writ petitioner.

3.Kaathamal is the mother while Kasinathan, Anandhan, Devaki and Manimegalai are the children. Kasinathan is the writ petitioner before this Court. The property stood in the name of Kaathamal was acquired for laying national highways road. The award was passed and the award amount of Rs.11,27,373/- was deposited in the second



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respondent / bank. It is lying undisbursed. Kaathamal had fairly stated that all the five legal heirs can equally take the share. No exception can be taken to this request.

4.Devaki is not only not opposing but she has withdrawn her writ petition. In these circumstances, the second respondent is directed to divide the amount lying in the petition mentioned account in five equal share. This division is consistent with the partition decree obtained by Devaki in O.S.No.29 of 2002 on the file of District Munsif Court, Melur. The second respondent shall obtain the account details of five legal heirs and transfer the 1/5th share amount to each of the five accounts. This shall be done by the second respondent as expeditiously as possible. The writ petitioner and the others shall comply with the usual banking formalities.

5.This writ petition is allowed on these terms. No costs.

01.12.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
ias

3/4



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G.R.SWAMINATHAN, J.

ias

To:-

The Special Tahsildar,
National Highways Land Acquisition,
Madurai District.

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01.12.2023