



W.P(MD)No.29075 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.01.2023

CORAM

THE HONOURABLE **MR.JUSTICE G.R.SWAMINATHAN**

W.P(MD)No.29075 of 2022

Hari Babu

... Petitioner

Vs.

1.The District Collector,
Thoothukudi District.

2.The Special Tahsildar,
(Land Acquisition),
Airport Development,
Thoothukudi,
Thoothukudi District.

3.Meena @ Magarapoojanam

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the order passed by the second respondent in his proceedings vide O.Mu.(A)/71/2022, dated 29.09.2022 and quash the same and consequently direct the first and second respondents to pay compensation for acquiring the land of the petitioner in Survey No.156/5A1A2 situated at Kumaragiri Village (Block-9), Thoothukudi District.



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For Petitioner : Mr.S.Ramasamy

For R-1 & R-2 : Mrs.S.Jeyapriya
Government Advocate

ORDER

Heard the learned Counsel for the writ petitioner and the learned Government Advocate for the first and second respondents. Notice was issued to the third respondent. But service is awaited. It is seen from the records that the petition mentioned land was subject matter of the acquisition proceedings. The third respondent suppressing the initiation of acquisition proceedings had sold the property in favour of the petitioner on 20.12.2018. When the petitioner obtained sale deed, title had already vested with the Government. Therefore, the second respondent rightly rejected the request of the petitioner. The petitioner has to proceed against his vendor. *Prima facie* it appears to be a case of cheating. If the petitioner files any complaint, FIR will be registered. The learned Government Advocate states that compensation amount has been deposited in the jurisdictional Sub Court. It is for the petitioner to move the jurisdictional Sub Court for restraining disbursement of the amount to the third respondent. The petitioner can work out his remedies in the light of what has



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been stated above. The impugned order does not call for any interference.

Granting such liberty to the writ petitioner, the writ petition stands disposed of.

There shall be no order as to costs.

12.01.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Btr

To

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G.R.SWAMINATHAN, J.

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