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W.P.(MD)NO.27357 OF 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.11.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.27357 of 2023

M.Thampi Raja

... Petitioner

Vs.

1. The District Collector,
Tirunelveli District,
Tirunelveli.
2. The Special Tahsildar,
Land Acquisition,
River Water Integrated Scheme,
Unit-5, Nanguneri,
Tirunelveli District.
3. The Executive Engineer,
Public Works Department,
Water Resources Department,
Special Project Sub Division-III,
Tirunelveli – 627 007.
4. The Assistant Executive Engineer,
Public Works Department /
Water Resources Department,
Special Project Sub Division-III,
Tirunelveli – 627 007.
5. The Sub Registrar,
Thisaiyanvilai SRO,
Thisaiyanvilai.

... Respondents

Prayer: Writ petition filed under Article 226 of the



Constitution of India, to issue a Writ of Mandamus, to direct respondents 2 to 4 to pay compensation amount to the petitioner in respect of the lands acquired for establishment of flood water canal to connect the river waters of Thamirabarani, Karumeniyaru and Nambiyaru in survey No.612/1 to an extent of 0.05.56 Hec., 612/2 to an extent of 0.18.356 Hec., 612/3 to an extent of 0.16.50 Hec., 612/9 to an extent of 0.12.50 Hec., and 612/10 to an extent of 0.54.00 Hec., by virtue of the enquiry notice dated 08.08.2022 in Na.Ka.No.A/36/2019 issued by the second respondent within a time that may be fixed by this Court.

For Petitioner : Mr.G.Ramanathan

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

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ORDER

Heard both sides.

2. The petition-mentioned lands were acquired under the provisions Land Acquisition Act for formation of flood water canal. The award has been passed. However, the award amount is yet to be deposited.



3. The second respondent is directed to deposit the award amount in an interest bearing account immediately and without any delay. However, it cannot be disbursed immediately to the petitioner. This is because “ PACL” issue is hovering over the petition-mentioned land. When it is cleared, the petitioner can have title. Only thereafter, he can claim the award amount. The petitioner has to necessarily go before the Hon'ble Mr.Justice R.M.Lodha Committee. Granting such liberty to the petitioner and with the aforesaid direction to the second respondent to deposit the award amount in an interest bearing account, this writ petition stands disposed of. No costs.

17.11.2023

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

PMU

**G.R.SWAMINATHAN,J.**

PMU

To:

1. The District Collector,
Tirunelveli District, Tirunelveli.
2. The Special Tahsildar,
Land Acquisition,
River Water Integrated Scheme,
Unit-5, Nanguneri, Tirunelveli District.
3. The Executive Engineer,
Public Works Department,
Water Resources Department,
Special Project Sub Division-III, Tirunelveli – 627 007.
4. The Assistant Executive Engineer,
Public Works Department /
Water Resources Department,
Special Project Sub Division-III, Tirunelveli – 627 007.
5. The Sub Registrar,
Thisaiyanvilai SRO, Thisaiyanvilai.

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