



Order dated 22.02.2024
in W.P.Nos.3442 and 3446 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 22.02.2024

Coram:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.Nos.3442 and 3446 of 2024

V.Mohana

.. Petitioner in both the Writ Petitions

Vs.

1. The Government of Tamil Nadu,
Rep. by its Secretary to Government,
Highways Department,
Fort St.George,
Chennai-600 009.
2. Special District Revenue Officer,
Land Acquisition Management
Highway Department,
Guindy,
Chennai-600 025.
3. The Revenue Divisional Officer,
Ambattur Revenue Division,
Anna Nagar Western Extension,
Chennai-600 101.
4. The Special Deputy Collector (LA),
Tamil Nadu Urban Development Project,
State Highways,
Dr.Singaravellar Maaligai
(Chennai Corporate Building),
Rajaji Salai, Chennai-600 001.

.. Respondents in both the Writ Petitions



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Writ Petition No.3442 of 2024 filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the respondents herein to release the compensation of Rs.26,55,199/- (Rupees twenty six lakhs fifty five thousand one hundred and ninety nine only) in favour of petitioner, along with interest at 9% per annum from date of acquisition till date of payment with respect to acquisition of petitioner's property comprised in Ward E, Block No.45, T.S.No.1, sub-divided as Survey No.1/1, ad-measuring an extent of 56 square metres in Korattur Village, Ambattur Taluk, Tiruvallur District, Survey No.816.B/2A, Door No.1294, 72nd Street, Tiruvallur District, Chennai-600 080, within a time frame as may be fixed by this Court.

Writ Petition No.3446 of 2024 filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the respondents herein to release the compensation of Rs.18,58,369/- (Rupees eighteen lakhs fifty eight thousand three hundred and sixty nine only) in favour of petitioner, along with interest at 9% per annum from date of acquisition till date of payment with respect to acquisition of petitioner's property comprised in Ward E, Block No.45, T.S.No.32/2, sub-divided as Survey No.32/3, ad-measuring an extent of 37 square metres in Korattur Village, Ambattur Taluk, Tiruvallur District, Survey No.816/2A, Door No.816/2, 72nd Street, Tiruvallur District, Chennai-600 080, within a time frame as may be fixed by this Court.

For petitioner : M/s.Mehek Asrani in both the Writ Petitions

For respondents: Mr.T.Arun Kumar, Addl.G.P. in both the Writ Petitions



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COMMON ORDER

Writ Petition No.3442 of 2024 is filed praying for issuance of a Writ of Mandamus to direct the respondents herein to release the compensation of Rs.26,55,199/- (Rupees twenty six lakhs fifty five thousand one hundred and ninety nine only) in favour of petitioner, along with interest at 9% per annum from date of acquisition till date of payment with respect to acquisition of petitioner's property comprised in Ward E, Block No.45, T.S.No.1, sub-divided as Survey No.1/1, ad-measuring an extent of 56 square metres in Korattur Village, Ambattur Taluk, Tiruvallur District, Survey No.816.B/2A, Door No.1294, 72nd Street, Tiruvallur District, Chennai-600 080, within a time frame as may be fixed by this Court.

2. Writ Petition No.3446 of 2024 is filed praying for issuance of a Writ of Mandamus to direct the respondents herein to release the compensation of Rs.18,58,369/- (Rupees eighteen lakhs fifty eight thousand three hundred and sixty nine only) in favour of petitioner, along with interest at 9% per annum from date of



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acquisition till date of payment with respect to acquisition of petitioner's property comprised in Ward E, Block No.45, T.S.No.32/2, sub-divided as Survey No.32/3, ad-measuring an extent of 37 square metres in Korattur Village, Ambattur Taluk, Tiruvallur District, Survey No.816/2A, Door No.816/2, 72nd Street, Tiruvallur District, Chennai-600 080, within a time frame as may be fixed by this Court.

3. Learned counsel for the petitioner, by taking the Court through the averments made in the affidavits filed in support of the Writ Petitions, submitted that the amounts of compensation, may be credited to the loan account(s) and that the petitioner admits that the properties in question are under mortgage.

4. By filing counter affidavits, learned Additional Government Pleader appearing for the respondents stated that the properties in question are under mortgage and the petitioners have not paid necessary amount(s) and there is outstanding dues, and therefore, the petitioners are not entitled to the relief sought for in these Writ Petitions. According to the respondents, there is dispute regarding the title in respect of the properties in question and therefore, pending these Writ Petitions, the respondents have deposited the amounts of compensation in both these Writ Petitions before the Civil Court.



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5. Since already the Award amounts were deposited before appropriate Court, it is for the petitioner to work out her remedy in the manner known to law before the Civil Court.

6. With the above observations, both these Writ Petitions are disposed of. There shall be no order as to costs.

22.02.2024

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To

1. The Government of Tamil Nadu,
Rep. by its Secretary to Government,
Highways Department,
Fort St.George,
Chennai-600 009.
2. Special District Revenue Officer,
Land Acquisition Management
Highway Department,
Guindy,
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P. VELMURUGAN, J

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