



WEB COPY



W.P.No.10816 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.06.2024

CORAM

THE HONOURABLE Mr.JUSTICE N.SATHISH KUMAR

W.P.No.10816 of 2024

Akkiamma

.. Petitioner

Vs

1.The District Collector
Krishnagiri District

2.The Special District Revenue Officer
(Land acquisition) office
National Highway-2, No.844
Krishnagiri

3.The Special Tahsildar
(Land acquisition) office
National Highway-2, No.844
Krishnagiri

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to pay the compensation for the lands acquired for National Highway No.844 in S.Nos.710/B, 723/3B, 723/3C, 724, 725/1 and 725/3 of Kothagondapally Village, Hosur Taluk, Krishnagiri District in proportion to the share of the petitioner.

For Petitioner : Mr.G.M.Ananthakumar

For Respondents : Mr.P.Sathish, Addl. Govt. Pleader



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ORDER

This writ petition is filed for a direction to the respondents to pay the petitioner's share of compensation, in respect of the land acquired for laying National Highways.

2. Heard Mr.G.M.Ananthakumar, learned counsel appearing for the writ petitioner and Mr.P.Sathish, learned Additional Government Pleader appearing for the respondents.

3. At the outset, it is to be pointed out that the name of the deceased in this case is Rama Reddy. He has two legal heirs and surprisingly, the name of one of the legal heirs also is Rama Reddy.

4. The grievance of the petitioner is that her deceased husband Chenna Reddy is also one of the legal heirs of her deceased father-in-law Rama Reddy; however, the compensation amount for the land acquired by the authorities, has been paid only to the legal heirs of Rama Reddy, who is the other son of the deceased Rama Reddy, leaving the petitioner, who is the legal heir of Chenna Reddy. Hence, the present Writ Petition.



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5. Learned Additional Government Pleader appearing for the respondents would submit that the compensation has already been disbursed, as the petitioner has not made any objection. If the petitioner had raised any objection prior to disbursement of compensation, the matter would have been referred to the Civil Court.

6. This Court perused the records, particularly, the reply notice sent by the Special Tahsildar under the RTI Act, which indicate that compensation has been paid to the legal heirs of Rama Reddy, who is one of the legal heirs of the deceased Rama Reddy, viz., Pillamma, Nirmala and Narayana Reddy. Though the said reply does not indicate the name of the petitioner, the fact remains that compensation has been disbursed to the legal heirs of one of the legal heirs of the deceased Rama Reddy.

7. If the petitioner's right has been suppressed and compensation has been realised by the legal heirs of the other legal heir alone, it is open to the petitioner to approach the Civil Court by filing a Civil Suit immediately to recover her share of compensation and in the event of the petitioner filing such suit within a period of three months from today, the same shall be decided by the Civil Court concerned, on its own merits and in accordance with law.



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With the above direction, this writ petition is disposed of.

No costs.

04.06.2024

gya

Index : Yes/No

Neutral Citation : Yes/No

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N.SATHISH KUMAR, J.

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