



WP.No.11377 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 26.04.2024

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

**WP.No.11377 of 2024
and W.M.P. No. 12469 of 2024**

Sathya

.. Petitioner

Versus

1. The Revenue Divisional Officer, (Land acquisition),
N.H. No.844,
Ottapatti,
Dharmapuri District.

2. Kamala

3. L.Kuppusamy

4. Mallika

5. Mathesh

6. Mageshwari

7. K.Manikandan

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st respondent to not to disburse the compensation amount for the acquisition of land in S.F.No.316/2D, Pallacode, Village, Dharmapuri District to the respondents 2 to 6 by considering the representation of the petitioner dated 12.03.2024 within a stipulated time.



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For Petitioner : Mr.S.Prakash

For R1 : Mr.A.Selvendran
Special Government Pleader

ORDER

By consent of both sides, the Writ Petition is taken up for final disposal at the admission stage itself.

2. This writ petition has been filed seeking a direction to the first respondent not to disburse the compensation amount for the acquisition of land in S.F.No.316/2D, Pallacode, Village, Dharmapuri District to the respondents 2 to 6 by considering the representation of the petitioner dated 12.03.2024 within a stipulated time.

3. It is the case of the petitioner that the property in S.F.No.316/2D at Jakkasamuthiram Village, Dharmapuri District belongs to her ancestors. After the demise of her parents, the petitioner was in joint possession and enjoyment of the property. On 30.09.2020, when the petitioner was 16 years old, the respondents 2 to 7 took her to Sub-Registrar Office, Maaranahalli and misrepresented before the Sub-Registrar that she is 18 years old and registered two sale deeds in favour of the 7th respondent. The petitioner filed a suit in



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O.S.No.38 of 2024 seeking the relief of partition and also declaration to declare the fraudulent sale deeds as null and void. After knowing that the respondents 2 to 7 are trying to swindle the compensation amount to be paid by the 1st respondent for acquiring a part of S.F.No.316/2D, by stating that they are the only owners of the property acquired, the petitioner gave a representation dated 12.03.2024 to the first respondent stating the above frauds. However, the same has not been considered by the first respondent. Hence, the present Writ Petition.

4. Heard learned counsel for the petitioner as well as the learned Special Government Pleader appearing for the first respondent and perused the materials available on record.

5. The petitioner claims that the suit property belonged to the petitioner and when she was minor, the same was sold in the year 2020. In this regard, she has already filed a suit challenging the same in O.S.No.38 of 2024 on the file of the Sub Court, Pallacode. Hence seeks a direction to the respondents not to disburse the amount.

6. Learned Special Government Pleader appearing for the first



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respondent submitted that since there is a dispute with regard to title and suit is already been filed, they will deposit the compensation amount to the credit of the suit.

7. The said statement of the learned Special Government Pleader is recorded. In such view of the matter, the first respondent shall deposit the compensation amount in the credit of the suit so that the title can be decided. The amount can be disbursed after the title is decided.

With the above direction, the Writ Petition is disposed of. Consequently, connected Miscellaneous Petition is closed. No costs.

26.04.2024

gsa

Index : Yes/No

Internet : Yes/No

To,

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N. SATHISH KUMAR, J.

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