



WEB COPY



WP.No.22200 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.08.2024

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

WP.No.22200 of 2024

K.Chandra

.. Petitioner

Versus

1.The District Collector
Kancheepuram District

2.The Competent Authority
The Special District Revenue Officer (L.A)
Kancheepuram Collectorate
Kancheepuram District
Kancheepuram – 631 501

3.The Special Tahsildar (L.A)
Bangalore – Chennai Expressway
Phase-3, Kancheepuram

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to pay the compensation amount to the petitioner for acquiring her lands in S.No.57/1A1 pt situated at Podavur Village, Kancheepuram District pursuant to the communication dated 25.03.2024 issued by the 2nd respondent.

For Petitioner : Mr.M.R.Thangavel
For Mr.J.Brezhnev

For Respondents : Mr.U.Baranidharan
Additional Government Pleader



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ORDER

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2. This Writ Petition is filed to direct the respondents to pay the compensation amount to the petitioner for acquiring the lands in S.No.57/1A1 pt situated at Podavur Village, Kancheepuram District pursuant to the communication dated 25.03.2024 issued by the 2nd respondent.

3. Heard learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents 1 to 3 and perused the materials available on record.

4. It is the case of the writ petitioner that he is the absolute owner of the lands situated at Plot No.44 and 45 in S.No.57/60, Podavoor Village, Sriperumbudur Taluk, Kancheepuram District. For the purpose of widening the highway. The petitioner's land was acquired. On 29.08.2018, the petitioner also appeared for enquiry and produced necessary documents and thereafter, the compensation amount was determined, however, the same is not paid. The petitioner has also given a representation during the month of March 2024 to



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the second respondent seeking for payment of the compensation amount.

Much to the dismay of the petitioner, the 2nd respondent vide communication dated 25.03.2024 informed the petitioner that the compensation amount payable to the petitioner was wrongly deposited in the account of another plot owner namely Shanthi on 29.11.2019. The petitioner made another representation on 21.05.2024 to deposit the compensation amount within one month. The third respondent on 23.05.2024 intimated the petitioner that the complaint preferred by the petitioner in Zoha Crporation to the second respondent. Hence, this writ petition.

5. The very fact that the petitioner's land were acquired is not in dispute. Determination of the compensation is also not in dispute. The communication dated 25.03.2024 also indicate that the amount payable to the petitioner is wrongly deposited to some other plot owner. However, it is stated that after recovery of amount from the said plot owner, the amount will be paid to the petitioner. It is to be noted that the petitioner's lands have been acquired during the year 2019, so far compensation amount is not paid to the petitioner. For the mistakes committed by the authorities, the petitioner cannot be deprived of the compensation. The petitioner cannot endlessly wait till the amount is recovered from the other owner and so far the amount has not been recovered.



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6. Such view of the matter, the respondents shall deposit the compensation amount in favour of the petitioner with interest as stipulated in the award. For their own mistake, the genuine land owners whose title has been divested cannot be forced to run from the pillar to post for realisation of the amount. Hence, there shall be a direction to the second respondent to pay the compensation amount payable to the petitioner with interest as stipulated in the award within a period of four months from the date of receipt of a copy of this Order.

7. With the above, this writ petition stands disposed of. No costs.

02.08.2024

dhk

Index : Yes/No

Internet : Yes/No

Neutral Citation : Yes/No



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