



WEB COPY



W.P.No.23596 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.08.2024

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.23596 of 2024

Dhanakodiyammal

... Petitioner

vs.

1.The District Collector,
Kallakuruchi,
Kallakuruchi District.

2.The District Adi Dravidar and Tribal Welfare Officer
Adi Dravidar and Tribal Welfare Department,
Kallakuruchi District.

3.The Special Tahsildar (Land Acquisition),
Adi Dravidar and Tribal Welfare Department,
Kallakuruchi District.

4.The Sub-Treasury Officer,
Kallakuruchi,
Kallakuruchi District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the Respondents herein to pay compensation to the Petitioner for her land comprised in S.No.27/15, measuring an extent of 1.02 acres, situated in Emapper Village,



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Kallakuruchi Taluk and District, acquired by the 3rd Respondent for the purpose of providing free house site patta to Adi Dravidar under the Tamil Nadu Acquisition of Land for Harijan Welfare Schemes Act, 1978, by considering the Petitioner's representation dated 07.08.2023.

For Petitioner : Mr.S.Senthil

For Respondents : Mr.A.Selvendran
Special Government Pleader

ORDER

The petitioner herein seeks a direction to the respondents to pay compensation in respect of petitioner's land comprised in S.No.27/15, measuring an extent of 1.02 acres, situated in Emapper Village, Kallakurichi Taluk and District, acquired by the 3rd respondent for providing free house site patta to the Adi Dravidar Community People under Tamil Nadu Act 31 of 1978 by considering her representation dated 07.08.2023.

2. It is the case of the petitioner that the above mentioned land belonged to the petitioner was acquired for the purpose of providing free house site patta to the poor Adi Dravidar Community People in the year 1986 and till date, compensation has not been paid to the petitioner, who is



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the owner. Therefore, she submitted a representation dated 07.08.2023 to the 1st respondent seeking payment of compensation amount together with interest. The said representation has not been considered by the 1st respondent till date. Therefore, the petitioner is before this Court.

3. Mr.A.Selvendran, learned Special Government Pleader takes notice for the respondents, on instructions, would submit that the representation of the petitioner dated 07.08.2023 would be considered by the respondents in accordance with law within the time fixed by this Court.

4. It is seen from the proceedings of the 3rd respondent enclosed in the typed-set of papers dated 06.06.2022, the compensation amount was fixed at Rs.1,44,861.95/- and the said amount was deposited to the 4th respondent as early as 30.03.1986 as the owners failed to receive the same. If there is a dispute with regard to person entitled to receive the compensation amount, it is incumbent on the 3rd respondent to deposit the amount before the Civil Court under Section 11(2) of Act 31 of 1978. However, in the case on hand, the 3rd respondent deposited the compensation amount before the 4th respondent.



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5. In these circumstances, without going into the merits of the claim made by the petitioner, this Court is inclined to direct the 2nd respondent to consider the representation of the petitioner dated 07.08.2023 and pass final orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above direction, the Writ Petition stands disposed of. No costs.

19.08.2024

Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No
dm



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