



W.P.No.26685 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.10.2024

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.26685 of 2024

S.R.Palanirajan

...Petitioner

Vs.

The Special District Revenue Officer,
Chennai – Kanyakumari Industrial
Corridor Project (CKICP),
Collectorate Complex,
Kancheepuram 631 501.

..Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to release the compensation amount determined in respect of the petitioner's lands measuring to an extent of 122 sq.mtr comprised in Survey No.148/3B1, Konerikuppam Village, Kanchipuram Taluk and District, to the petitioner forthwith.

For Petitioner : Mr.S.Thirumavalavan

For Respondent : Mr.P.Sathish
Additional Government Pleader

ORDER

The petitioner herein seeks a direction to the respondent to pay



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compensation amount in respect of the land with an extent of 122 sq.mtr, comprised in S.No.148/3B1 at Konerikuppam Village, Kanchipuram Taluk and District.

2. It is the case of the petitioner that the above mentioned property belonged to him and the same was acquired by the respondent for widening Chennai-Kaniyakumari National Highways. However, compensation has not been paid to the petitioner.

3. The respondent filed a counter affidavit stating that the subject property was registered in the name of Gurunatha Swamy Kovil as per the partition deed in 1960 A-Register. Therefore, the Assistant Commissioner, Hindu Religious and Charitable Endowment, Kancheepuram was addressed to clarify whether the property belonged to the temple.

4. It is further stated that the Assistant Commissioner, Hindu Religious and Charitable Endowment, Kancheepuram, in his letter dated 27.03.2024 claimed that the above mentioned property belonged to the temple and requested the Competent Authority to pay compensation amount in favour



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of the temple. In view of the dispute with regard to the ownership of the property, the respondent has no jurisdiction to disburse the compensation amount to the petitioner, without determination under Section 21 of Tamil Nadu Highways Act.

5. Therefore, this Court is not inclined to issue any positive direction to the respondent as prayed for. However, the respondent is directed to act in accordance with provisions of Section 21 of Tamil Nadu Highways Act and refer the dispute, if any, to Civil Court within a period of six weeks from the date of receipt of copy of this order.

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

01.10.2024

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
dna

S.SOUNTHAR, J.
dna



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To

The Special District Revenue Officer,
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