



W.P(MD)No.5090 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.03.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.5090 of 2024

and

W.M.P.(MD)No.4872of 2024

Arulmighu Maanur Irulappaswami Temple Trust,
Rep. by its President E.K.Senthilkumar
Trust Regn No.33/2022,
No.291/2, West Street, Maanur Post,
Palani Taluk, Dindigul District.

... Petitioner

Vs.

- 1.The District Collector,
Dindigul District,
Dindigul.
- 2.The Revenue Divisional Officer,
Palani, Dindigul District.
- 3.The Tahsildar,
Palani Taluk,
Dindigul District.
- 4.The Special Tahsildar (Land Acquisition),
National Highway No.209, Unit-III,
Palani Taluk, Dindigul District.
- 5.Kathirvelmani
- 6.Rajendran

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the 4th respondent passed in his proceedings in Na.Ka.No. 24/2022/A2 dated 14.02.2024 and quash the same as illegal, consequently direct the 4th respondent to disburse the compensation amount of Rs. 79,11,226/- to the petitioner temple for the lands acquired to an extent of 4630 Sq. Meter in the Petitioner Temple namely Arulmighu Irulappaswamy Temple situated in S.No. 20/1, 20/2 and 20/3 in an the total extent of 5 Acres and 90 Cents situated in Bethanayakkanpatti village, Palani Taluk, Dindigul District for the extension of National Highways No.209 within a time limit stipulated by this Court.

For Petitioner : Mr.R.Maheswaran

For Respondents : Mr.A.Kannan
Additional Government Pleader for R1 to R4

ORDER

Heard the learned counsel for the petitioner and the learned Additional Government Pleader for R1 to R4. Notice to the private respondents is dispensed with.

2. The petition mentioned lands had been acquired under the provisions of the National Highways Act, 1956. The petitioner claims that the land belongs to them and that compensation should be paid to them. The private respondents herein have staked a rival claim.



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3. In these circumstances, reference has to be made under Section 3H(4) of the National Highways Act. Deposit shall be made by the fourth respondent within a period of three weeks from the date of receipt of a copy of this order. Any application filed by the fourth respondent shall be numbered immediately and the learned PDJ, Dindigul shall credit the amount to the account of LAOP. Notice will be issued to the petitioner as well as the private respondents and other interested persons, if any. Reference shall be answered within a period of six months by the learned PDJ, Dindigul. The disbursement of the compensation amount will depend upon the order of the learned PDJ, Dindigul.

4. The Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

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Index : Yes / No
Internet : Yes/ No
rmi

To

1.The District Collector,
Dindigul District,
Dindigul.

2.The Revenue Divisional Officer,
Palani, Dindigul District.

3.The Tahsildar,
Palani Taluk,
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4.The Special Tahsildar (Land Acquisition),
National Highway No.209, Unit-III,
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