



Rev.AplW(MD)No.165 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :18.09.2024

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THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Review Application Writ(MD).No.165 of 2024
in
WP(MD) No.19429 of 2023

T.P.R.Pathi

... Petitioner

Vs.

1.The District Collector,
Theni District,
Theni.

2.The Special Tahsildar,
Land Acquisition (Harijan Welfare),
Periyakulam,
Theni District.

...Respondents

PRAYER in Review APL.W(MD) No.165 of 2024 : Petition filed under Order 47 Rule 1 & 2 r/w Section 114 of C.P.C., to review the order of this Court in WP(MD) No.19429 of 2023, dated 18.08.2023.

PRAYER in WP(MD)No.19429 of 2023 : Writ Petition filed under



Rev.AplW(MD)No.165 of 2024

Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondent to give suitable instructions to the second respondent to furnish the proper details in respect of the deposit of the compensation amount for acquiring the land for house site to the harijanas family in S.No.367, 368/1 and 368/2 to an extent of 4 acres 3 cents in Veerapandi Village, Theni District by disposing the petitioner's representation dated 20.03.2023.

For Petitioner : Mr.R.Suriya Narayanan
For Respondents : Mr.A.Baskaran
Additional Government Pleader

ORDER

This Review Application is filed to review the order passed by this Court in WP(MD) No.19429 of 2023, dated 18.08.2023.

2.WP(MD) No.19429 of 2023 was filed for a Mandamus, directing the District Collector, Theni to furnish proper details, in respect to deposit of the compensation amount for acquisition of the lands in S.Nos.367, 368/1 and 368/2, to an extent of 4 acres 3 cents in Veerapandi Village, Theni District. The said writ petition was disposed



Rev.AplW(MD)No.165 of 2024

WEB COPY

of by this Court, by order, dated 18.08.2023, considering the submissions made by the learned Government Advocate that the compensation of Rs.29,842.15/- was deposited in Indian Bank Esplanade Branch, Madras in the name of the Registrar, High Court of Madras in SB Account No.14443, dated 08.09.1984. Now the review applicant has moved this application that on verification it was found that the mentioned Savings Bank Account is not in existence.

3.The learned counsel appearing for the review applicant submits that the petitioner has sought for certain details under the Right to Information Act, 2005 from the Registrar(Administration), Principal Seat of this Court and the queries raised by the petitioner were also replied by a letter, dated 07.11.2016 that the Savings Bank Account No. 14443 is not found in their records, based on which, this Review Application is filed. The learned counsel seeks some more time to ascertain the details of payment of compensation.



Rev.AplW(MD)No.165 of 2024

WEB COPY

4.The learned Additional Government Pleader appearing for the respondents has produced the proceedings of the Special Tahsildar (Land Acquisition), Adi Dravidar Welfare, Theni, dated 11.08.2023 and another proceedings of the Special Tahsildar (Land Acquisition), Adi Dravidar Welfare,Uthamapalayam, dated 06.09.1984, which discloses that the compensation amount of Rs.29,842.15/- was already deposited in Indian Bank Esplanade Branch, Madras in the name of the Registrar, High Court of Madras in SB Account No.14443, dated 08.09.1984.

5.This Court considered the rival submissions made and also perused the materials placed on record.

6.The petitioner has filed the above writ petition for a Mandamus, to direct the authorities to provide proper details for the compensation awarded for lands acquired by them in S.No.367, 368/1 and 368/2 to an extent of 4 acres and 3 cents in Veerapandi Village,



Rev.AplW(MD)No.165 of 2024

WEB COPY

Theni. This Court, after ascertaining from the respondents that the compensation amount has already been deposited as stated by the learned Additional Government Pleader, disposed of that writ petition with liberty to the petitioner to file necessary application, for withdrawal of the amount along with the required documents. It appears that the petitioner, without approaching the concerned Indian Bank or the Registrar (Administration) of Principal Seat of this Court by producing a copy of the order passed in WP(MD) No.19429 of 2023, has filed this review application, based on the information provided to him under the RTI Act, dated 07.11.2016. This Court is of the view that the petitioner, without taking any earnest steps by producing a copy of the order passed in W.P(MD) No.19429 of 2023, before the Registrar (Administration) of the Principal Seat of this Court, has filed this Review Application that there is an apparent error on the face of the record. However, considering the submission made on behalf of the petitioner, this Court has entertained this Review



Rev.AplW(MD)No.165 of 2024

WEB COPY

Application and ordered notice to the respondents and directed the authorities to furnish the correct details with regard to the payment of compensation for the lands acquired by them from the petitioner's father and in turn, the learned Additional Government Pleader has produced a copy of the proceedings of the Special Tahsildar (Land Acquisition), Adi Dravidar Welfare, Uthamapalayam in Roc.No. 2418/81A, dated 06.09.1984, which was addressed to the Manager, Indian Bank, Esplanade, Madras that a special messenger has been sent for remittance of a sum of Rs.29,842.15/-. The other relevant proceedings of the Special Tahsildar, Theni in Na.Ka.No. 142/2023/A1/4, dated 12.08.2023 is also been placed before this Court and the same was furnished to the learned counsel for the petitioner. It appears that no effective steps have been taken by the petitioner to ascertain as to whether the compensation amount has been deposited as claimed by the respondent or not and the learned counsel requests further time.



Rev.AplW(MD)No.165 of 2024

WEB COPY

7.Since the review applicant has not shown any interest in ascertaining the details as to whether the compensation amount has been deposited or not as claimed by the respondents, by referring the documents furnished to him, this Court is not inclined to adjourn this review application repeatedly.

8.Accordingly, this Review Application is closed with liberty to the petitioner to approach the Registrar(Administration), High Court of Madras, by placing all the documents produced by the learned Additional Government Pleader and furnished to the petitioner. Since the issue is pertaining to the lands acquired in the year 1984 and it was claimed that the compensation amount had already been deposited in Indian Bank Esplanade Branch, Madras in the name of the Registrar, High Court of Madras in SB Account No.14443, dated 08.09.1984, the Registrar (Administration) of the Principal Seat of this Court shall look



Rev.AplW(MD)No.165 of 2024

into this issue and do the needful to the petitioner. No costs.

WEB COPY

18.09.2024

NCC : Yes/No
Index : Yes / No
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Rev.AplW(MD)No.165 of 2024

To
WEB COPY

- 1.The District Collector,
Theni District,
Theni.
- 2.The Special Tahsildar,
Land Acquisition (Harijan Welfare),
Periyakulam,
Theni District.

Note: Mark a Copy of this order to the Registrar (Administration),
Madras High Court.



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Rev.ApIW(MD)No.165 of 2024

B.PUGALENDHI, J.

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Order made in
Rev.APLW.(MD).No.165 of 2024
in
WP(MD) No.19429 of 2023

18.09.2024