



W.P(MD)No.15699 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.07.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.15699 of 2024

Arulmigu Jambukeswarar Akilandeswari
Thirukoil,
Represented by its
Assistant Commissioner /
Executive Officer,
Having his office at Thiruvanaikaval,
Tiruchirappalli District.

... Petitioner

Vs.

- 1.The District Collector,
Tiruchirappalli District.
- 2.The Revenue Divisional Officer,
Land Acquisition and Management Unit,
Highways,
District Collector Office Complex,
Tiruchirappalli.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to dispose the representation of the temple administration dated 03.06.2024 within the time stipulated by this Court.

For Petitioner : Mr.V.Chandrasekar



WEB COPY



W.P(MD)No.15699 of 2024

For Respondents : Mr.G.V.Vairam Santhosh
Additional Government Pleader

ORDER

Heard both sides.

2.The case involves acquisition of land under the Tamil Nadu Highways Act, 2001. The case of the petitioner Temple is that their land has been acquired and compensation is yet to be paid. It appears that a Pallivasal has also laid rival claim. Section 21 of the Tamil Nadu Highways Act, 2001 reads as follows:

“21. Apportionment of amount. (1) Where several persons claim to be interested in the amount determined, the Collector shall determine the persons who in his opinion, are entitled to receive the amount and the amount payable to each of them.

(2) When the amount has been determined under section 19, if any dispute arises as to the apportionment of the same or any part thereof, or as to the persons to whom the same or any part thereof is payable, the Collector may refer such dispute for the decision of the Court.”



W.P(MD)No.15699 of 2024

If there is any such dispute, then reference has to be made for the decision of the Court. The petitioner has given a representation in this regard. The first respondent is directed to dispose of the same on merits and in accordance with law. If there is no dispute, compensation amount shall be paid to the petitioner. If there is dispute, reference shall be made under the aforesaid provisions to the jurisdictional Court. This shall be done within a period of eight weeks from the date of receipt of a copy of this order.

3.This writ petition is disposed of accordingly. There shall be no order as to costs.

16.07.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
MGA

To

1.The District Collector,
Tiruchirappalli District.

2.The Revenue Divisional Officer,
Land Acquisition and Management Unit,
Highways,
District Collector Office Complex,
Tiruchirappalli.



WEB COPY



W.P(MD)No.15699 of 2024

G.R.SWAMINATHAN,J.

MGA

W.P(MD)No.15699 of 2024

16.07.2024