



W.P.(MD) No.20021 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.08.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.20021 of 2024

Subramaniyan

.. Petitioner

Vs.

1.The District Collector,
District Collector Office,
Ramanathapuram.

2.The Special District Revenue Officer(L.A)
National Highway-49,
Ramanathapuram District.

3.The Special Tahsildar(L.A)
National Highway-49
Madurai to Dhanushkodi
Extension Project-Unit-1(Old Project)
Paramakudi Taluk,
Ramanathapuram District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India,
praying for issuance of Writ of Mandamus, directing the respondents to
forthwith provide compensation amount with interest to the petitioner for



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acquired land to the extent of 209 square feet in Survey No.266/2, in Kattuparamakudi Revenue Village, Paramakudi Taluk, Ramanathapuram District, for the purpose of Madurai to Dhanushkodi(NH-49) Road, based on the petitioner's representation dated 04.09.2023 within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.R.Senthilkumar

For Respondents : Mr.B.Saravanan
Additional Government Pleader

ORDER

This writ petition is filed for a mandamus to direct the respondents to provide compensation amount with interest to the petitioner for his land acquired to an extent of 209 square feet in Survey No.266/2, at Kattuparamakudi Revenue Village, Paramakudi Taluk, Ramanathapuram District, for the purpose of the Madurai to Dhanushkodi(NH-49) Road, based on the petitioner's representation dated 04.09.2023 within a stipulated time.



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2. The case of the petitioner is that the property in S.No.266/2 to an extent of 0.50.0 hectares situated in Kattuparamakudi Revenue Village, Paramakudi Taluk, Ramanathapuram District, was originally belonged to one Palani, who is the parental grandfather of the petitioner herein. After the death of the said Palani, the property devolved upon the petitioner's father and other legal heirs. The aforesaid survey number was allotted to the petitioner's father in the partition made in the suit in O.S.No.26 of 2018. After the death of the petitioner's father, he obtained the property as he is his only legal heir. In such circumstances, the respondents had acquired some portion of the land for extension of Madurai to Dhanushkodi and sub-divided the acquired land as S.No. 266/2B and the remaining land in his grandfather's name in S.No.266/2 to an extent of 0.47.90 hectares. After acquiring the said land, the respondents had not paid any compensation amount. Therefore, he made a representation to the respondents on 04.09.2023. Pursuant to which, the third respondent sent a letter dated 21.09.2023 calling upon him to produce the related documents for compensation on 21.09.2023. Based on which, the petitioner has given all relevant documents to the third



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respondent on 05.10.2023. So far the compensation amount has not been disbursed. Hence, the present writ petition is filed.

3.The learned Additional Government Pleader appearing for the respondents, on instructions, would submit that no document has been filed to show that the original pattadhar Palani had passed away. However, the authorities have overlooked the judgment and decree in O.S.No.26 of 2018, filed for partition, in which, it has been clearly narrated that the property originally belonged to Palani and the parties to the suit were his legal representatives who are entitled to a share in the property.

4.In the light of the above, the demand made by the authorities appears misconceived. Therefore, the respondents shall consider the petitioner's representation dated 04.09.2023 and take necessary steps for disbursing the compensation amount that would be payable to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order, without insisting upon the death certificate of Palani



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and considering the pleadings in O.S.No.26 of 2018.

5.With the above direction, this Writ Petition stands allowed. No costs.

22.08.2024

NCC : Yes/No

Index : Yes/No

Internet : Yes

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P.T.ASHA, J.

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