



WP(MD)No.24033 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 14.10.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.24033 of 2024
and
WMP(MD)No.20351 of 2024

Somajayanthi

.. Petitioner

v.

- 1.The District Collector,
Madurai District,
Madurai.
- 2.The District Revenue Officer,
Madurai District,
Madurai.
- 3.The Revenue Divisional Officer,
Madurai Division,
Madurai.
- 4.The Commissioner,
Corporation of Madurai,
Madurai.
- 5.The Chief Educational Officer,
Madurai District, Tallakulam,
Madurai.



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6.The Head Master,
Madurai Corporation Middle School,
Munichalai Road,
Madurai.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the respondents to disburse the fair compensation for the land comprised in S.No.549/39 admeasuring to an extent of 9338 sq.feet situated at Narasimmapuram 2nd Street, Kamarajar Salai, Ward No.50, Ward No.1, Madurai City, which was acquired from the petitioner's family, with interest or grant of other lands in exchange or grant equitable interest or return back the land (which were acquired without any compensation) including damages, on the basis of the petitioner's representation dated 10.05.2024.

For Petitioner : Mr.M.Karthikeya Venkitachalapathy

For Respondents : Mr.D.S.Nedunchezian,
Government Advocate
for R.1 to R.3, R.5, R.6

Mr.S.Vinayak,
Standing Counsel for R.4



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ORDER

The petitioner claims that her father is the owner of the property in S.No.549/39 to an extent of 9338 sq.ft at Narasimmapuram 2nd Street, Kamarajar Salai, Madurai City. This land was acquired by the Government for the purpose of establishing a School in the year 1958. The petitioner was a minor at that relevant point of time and her father was also no more. Her mother, an uneducated lady, was not in a position to contest the case. The grievance of the petitioner is that though the respondents have acquired the property, they have not paid any compensation.

2.Mr.D.S.Nedunchezian, learned Government Advocate, took notice for the respondents 1 to 3, 5 & 6 and submitted that he is not having any instructions.

3.Mr.S.Vinayak, learned Standing Counsel, took notice for the fourth respondent / Madurai Corporation and submitted that the land has been acquired in the year 1958 and that compensation was also provided and it



was received by the petitioner's mother, Dhanam. By relying upon the affidavit filed by the petitioner, he submitted that the petitioner herself has admitted that they have received the compensation amount and that they are asking for enhanced compensation, which they are not entitled to.

4.This Court considered the rival submissions made on either side and perused the materials placed on record.

5.Though the learned Standing Counsel for the Corporation claims that the compensation amount has been provided to the petitioner, he has attempted to substantiate the same only from the affidavit filed by the petitioner and not by producing any records. The petitioner's case is that the compensation amount has not been provided by the respondents. The learned Government Advocate is also not having any instructions with regard to the disbursal of the compensation amount.

6.Since the petitioner claims that not even a single pie has been paid as compensation for the property acquired, this writ petition stands



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disposed of, with a direction to the respondents, more particularly, respondents 1 & 4 to consider the petitioner's representation dated 10.05.2024 and pass appropriate orders, within a period of eight weeks from the date of receipt of a copy of this order. While passing orders, the authority is expected to furnish the details as to whether any compensation has been provided, the manner in which it has been disbursed and to whom it has been disbursed.

There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Index : Yes / No
NCC : Yes / No
Internet : Yes
gk

14.10.2024

To

- 1.The District Collector,
Madurai District,
Madurai.
- 2.The District Revenue Officer,
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