

Cont P(MD) No.270 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
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DATED :17.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Contempt Petition(MD) No.270 of 2025

in

WP(MD) No.22746 of 2023

Kanagaraj

... Petitioner

Vs.

**1.The District Collector,
District Collector Office,
Tuticorin District.**

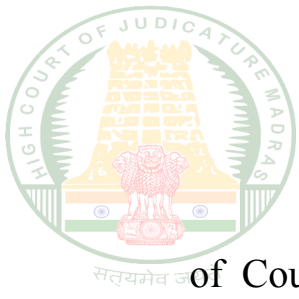
**2.The Revenue Divisional Officer,
Revenue Divisional Office,
Kovilpatti, Tuticorin District.**

**3.The Special Thasildar,
Office of the Special Thasildar,
Railway Land Acquisition,
Madurai to Thoothukudi Via,
Aruppukottai New Broadcast Rail Road Project,
Ettaiyapuram, Thoothukudi.**

**4.The Tahsildar,
Ottapidaram Taluk Office,
Tuticorin District.**

... Respondents

PRAYER: Contempt Petition filed under Section 11 of the Contempt



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of Courts Act, 1971 against the respondent herein for their willful disobedience to comply the order passed by this Court in WP(MD) No. 22746 of 2023, dated 19.09.2023 and punish him accordingly.

For Petitioner : Mr.S.Arumugam
For Respondents : Mr.P.T.Thiraviam
Government Advocate

ORDER

The land in Survey No.262/2, Melamaruthur Village, Ottapidaram Taluk, Thoothukudi District was acquired by the respondents for the purpose of laying broad gauge Railway Track from Tuticorin to Madurai via Aruppukkottai. Notification was issued in the year 2015 and an inquiry was also conducted. Based on the revenue records, notice was issued to the land owners. The land in S.No.262/2 was subsequently sub divided into 262/2A and 262/2B and the land in S.No.262/2A stands in the name of one Chennammal, W/o Arunachala Reddiyar and the land in S.No.262/2B stands in the name of one Muniammal W/o Muniyandi. Therefore, the entire award amount for a sum of Rs.89,27,590/- was disbursed to the legal heirs of the deceased Muniammal, namely, Muniammal, Karupayee, Shanmugavel,



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Murugesan, Perumal, Guruvammal, Parvathy and Mariammal, on
11.10.2018, through Cheque.

2.The petitioner has sent a representation on 21.09.2022 to the respondents, claiming compensation, in respect of the land in Survey No.262/2B, based on a Sale Deed, dated 26.07.1973. As per the recitals of the said sale deed to an extent of 2.32 acres of land, out of 9.29 acres, situated at Survey No.262/2, Melamaruthur Village was purchased by the petitioner's grand father, namely, Muniyandi vide Document No.2561/1973. His grandfather passed away leaving behind the legal heirs namely, Ramasamy, Lakshmanan, Narayanan. Therefore, all the legal heirs got the right over the said property and accordingly, the petitioner claimed compensation in respect of the acquired land in S.No.262/2B.

3.The petitioner has also filed a writ petition in WP(MD) No. 22746 of 2023, seeking a Mandamus, directing the respondents to consider his representation, dated 21.09.2022 and the same was



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disposed of by this Court, by its order, dated 19.03.2023 as under:-

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“It may be a mistake on the part of the petitioner in failing to mutate the revenue records. There is no dispute that the petitioner is the real owner and therefore, the respondents ought to have conduct an enquiry and if the award is wrongly paid to the petitioner’s vendor shall recover the same and paid to the petitioner.

This Court directs the respondents to conduct an enquiry with regard to the claim of the petitioner after issuing notice to the persons, who have already received the compensation and to pass necessary orders, within a period of four months from the date of receipt of a copy of this order. No costs.’’

4.The petitioner has now approached this Court that the above order of this Court has not been complied with by the respondents.

5.Mr.P.T.Thiraviam, learned Government Advocate takes notice for the respondents and submits that in pursuance to the order



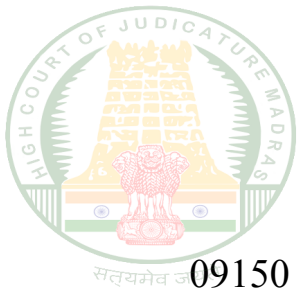
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passed by this Court, the third respondent has conducted a detailed enquiry after issuing notice to the petitioner and other necessary parties. At the time of enquiry, all the relevant documents and revenue records related to the said Survey No.262/2 (262/2A and 2B) has been verified. After completion of enquiry, it is revealed that the petitioner's grandfather purchased a land to an extent of 2.32 acres, out of 9.29 acres at S.No.262/2, Maruthur Village, vide document No.2561/1973. At the same time, during the course of UDR, the said Survey No.262/2 was sub-divided into 262/2A and 262/2B and patta was also changed in the name of

- a) Chinnammal vide Patta No.179, in respect of Survey No.262/2A to the extent of 1.82.50 Hectares.
- b) Muniammal vide Patta No.323, in respect of Survey No.262/2B, to an extent of 1.93.50 Hectares.

6. According to the learned Government Advocate, the land claimed by the petitioner to the extent of 2.32 Acres comes within the Survey No.262/2B, During the course of land acquisition, 16345 sq.mtr, out of 1.93.50 hectares at S.No.262/2B has been acquired. The survey was conducted by the concerned officials and as per the survey,



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09150 sq.mtr of land comes within the land belongs to the petitioner's grandfather. 07195 sq.mtr of land comes within the land belongs tot he total extent of 16345 sq.mtr and a sum of Rs.89,27,590/- has already been disbursed to the legal heirs of the deceased Muniammal, namely, Muniammal, Karupayee, Shanmugavel, Murugesan, Perumal, Guruvammal, Parvatahy and Mariammal. As per the enquiry conducted by the third respondent, they came to know that a sum of Rs.49,97,703/- were additionally disbursed to the legal heirs of Muniammal, the same to be disbursed to the petitioner. The legal heirs of the deceased Muniammal appeared before the third respondent and refused to return back the said amount. They have also given a statement before the third respondent on 21.03.2024 that they will approach the civil Court for appropriate relief. After completion of enquiry, the third respondent filed a detailed report, vide proceedings in Na.Ka.No.A1/110/2023 before the first respondent and the first respondent, in turn has sent a proceedings in Na.Ka.E5/20116/2015, dated 27.11.2024 to the fourth respondent, directing them to take action under the Revenue Recovery Act, to recover the additional



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amount of Rs.49,97,703/- from the legal heirs of Muniammal.

Accordingly, the Revenue Inspector, concerned Village Administrative Officer were directed to recover the amount and the same is under progress and the amount would be recovered from the legal heirs of the deceased Muniammal as early as possible. Once the amount is recovered, it would be deposited before the Principal District Court, Thoothukudi, under 9(2) of the Tamil Nadu Land Acquisition for Industrial Purposes Act, 1997, for disbursement to the petitioner and other legal heirs of the petitioner's grand father, Muniyandi. Until the petitioner to prove his title before the competent civil Court and upon such proof, seek disbursement of the compensation amount from the said Court, in accordance with law.

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

8.The District Collector has filed a detailed Status report as to steps taken by the District Administration, pursuant to the order of



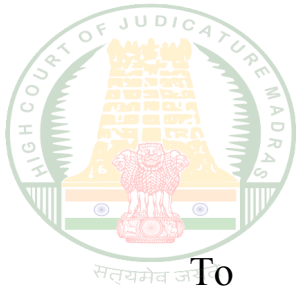
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this Court, dated 19.09.2023. This Court is satisfied with the steps taken by the District Collector.

9.In view of the above and recording the Status report, dated 15.04.2025, this Contempt petition is closed, with liberty to this petitioner to work out his remedy before the competent Court.

17.04.2025

Index : Yes/No
Internet : Yes/No
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B.PUGALENDHI, J.,

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