



W.P.(MD)No.5698 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **07.03.2025**

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.(MD)No.5698 of 2025
and
W.M.P(MD)No.4158 of 2025

K.Pandi

... Petitioner

/Vs./

1. The Special District Revenue Officer,
(Land Acquisition National Highways),
Madurai.
2. The Project Director
The Department of National Highways,
307, Melur Main Road,
KK Nagar, Madurai.
3. The Special Tahsildar
Land Acquisition National Highways,
Madurai.
4. G. Subramani

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 3 to pay the entire compensation amount for acquisition of land in S.No.6/13, Kokkulappi Village, Madurai West Taluk, Madurai now situated in



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T.S. No.131 to the petitioner and his brother Mahalingam as per the Award No.5/2023 based on petitioner's representation dated 06.02.2025 within the time frame fixed by this Court.

For Petitioner : Mr.K.K.Udayakumar
For R1 to R3 : Mr.B. Saravanan
Additional Government Pleader

ORDER

I have heard the learned counsel appearing for the petitioner and Mr.B.Saravanan, learned Additional Government Pleader appearing for the respondents.

2. With the consent of the counsel appearing on either side, the writ petition is taken up for final disposal at the admission stage itself.

3. The learned Additional Government Pleader, on instructions, would submit that the first respondent has taken a decision to disburse the compension in terms of the award to the petitioner and his brother Mahalingam. The only spoke in the wheel was the objection of the fourth respondent, G.Subramani, who is husband of the sister of the petitioner and his brother Mahalingam and even as per the intestate law s succession, the fourth respondent has no right to claim any portion of the



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compensation amount of the petitioner and his brother who claim under the Will of late Krishnan. It is also specifically contended that the fourth respondent's son is infact a beneficiary in respect of some of the properties under the very same Will and he has taken benefit of the same without any objections and therefore, the fourth respondent cannot have any objection for the compensation amount being paid to the petitioner and his brother Mahalingam.

5. In view of the above, the first respondent is directed to disburse the compensation amount in terms of Award No.5/2023 to the petitioner and his brother Mahalingam within a period of 8 weeks from the date of receipt of a copy of this order.

6. With the above direction, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Index : Yes / No
NCC : Yes / No
am

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P.B. BALAJI, J.

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Order made in
W.P.(MD)No.5698 of 2025

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07.03.2025