



W.P(MD)No.21565 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.08.2025

CORAM :

THE HON'BLE MR.JUSTICE S. SOUNTHAR

W.P(MD)No.21565 of 2025

and

W.M.P(MD)Nos.16669 & 16671 of 2025

Selvaraj

... Petitioner

Vs

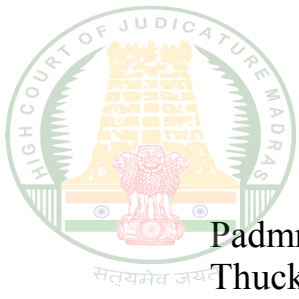
1. The State of Tamil Nadu,
Rep by Secretary (Land Acquisition),
Ezhilagam,
Chepauk,
Chennai 600 005.

2. The Land Acquisition Officer,
Cum District Collector,
Collector Office,
Nagercoil,
Kanyakumari District.

3. Revenue and Disaster Management Department,
Sub - Collector Office,
Padmnabhapuram,
Thuckalay,
Kanyakumari District.

4. The Special Tahsildar,
Land Acquisition,
Additional Unit- III,

1/6



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Padmnabhapuram,
Thuckalay.

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5. Kanakaraj

6. Rose Bai

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 to 4 to deposit the compensation amount determined for the acquisition of the petitioner's lands measuring 0.0121 hectares in Survey No. 280/14A2 and 0.0100 hectares in Survey No. 280/12A2, located at Pacode A Village, Vilavancode Taluk, Kanyakumari District, Pursuant to proceedings bearing Na.Ka.No.U1/2115869/2024 dated 03.07.2024 issued by the 1st respondent into the credit of OS No. 46/2024 in Sub Court, Kuzhithurai and to withhold disbursement of the said compensation until final orders are passed in the pending suit, in accordance with Section 10 of the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997 within such reasonable time to be determined by this Court.

For Petitioner : Mr.N.Dilipkumar,

For Respondent : Mr.A.Baskaran (R1-R4)
Additional Government Pleader



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ORDER

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The petitioner herein seeks a direction to the respondents 1 to 4 to deposit the land acquisition compensation amount in respect of the petitioner's property situate in S.Nos.280/14A2 and 280/12A2 located in Pacode A Village, Vilavancode Taluk, Kanyakumari District to the credit of O.S.No.46 of 2024 on the file of the Sub Court, Kuzhithurai.

2.Mr.A.Baskaran, learned Additional Government Pleader takes notice for the respondents 1 to 4. By consent of both parties, the writ petition is taken up for final disposal at the admission stage itself. Since no adverse order is passed against the respondents 5 and 6, notice to them is dispensed with.

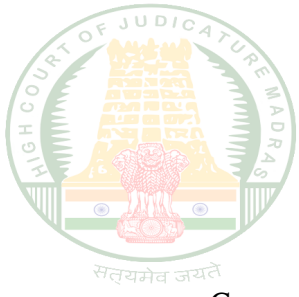
3.It is the case of the petitioner that subject property was settled by his father under a settlement deed dated 04.04.2023. The patta for the subject property was also issued in the name of the petitioner in patta No. 7196. The subject property was acquired by the Government under the provisions of Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997 and the compensation amount has also been determined by the



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competent authority. The private respondents 5 and 6 created fraudulent documents and claimed right over the subject property and in respect of the same, proceeding is pending on the file of the District Revenue Officer, Nagercoil. The petitioner on his part filed a civil suit in O.S.No. 46 of 2024 on the file of the Sub Court, Kuzhithalai against the private respondents seeking declaration and injunction and the same is pending. Therefore, the petitioner filed instant writ petition seeking direction to the official respondents to deposit the compensation amount to the credit of O.S.No.46 of 2024.

4.From the averment containing in the affidavit it is clear that there is a dispute with regard to the title over the subject property between the petitioner and the private respondents 5 and 6. In such circumstances, it is for the official respondents to deposit the compensation amount before the civil Court as per the statutory mandate under Section 10(3) of Tamil Nadu Acquisition of Land for Industrial Purposes Act. Therefore, the second respondent is directed to consider the representation of the petitioner dated 08.07.2024 and take a decision with regard to the deposit of compensation amount before civil court, within a period of twelve weeks from the date of receipt of a copy of this order, after issuing notice to the private respondents 5 and 6.



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5. With the above direction, this writ petition stands disposed of. No costs.

Consequently the connected miscellaneous petitions are closed.

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

LR

To

1. The State of Tamil Nadu,
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2. The Land Acquisition Officer,
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S. SOUNTHAR, J.

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