

W.P(MD)NO.22709 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 20.08.2025

CORAM:

THE HON'BLE MR JUSTICE S.SOUNTHAR

W.P(MD)No.22709 of 2025

Joseph

... Petitioner

.Vs.

1.The District Collector,
Pudukottai District.

2.The District Revenue Officer,
(Land Acquisition),
Cauvery Vaigai Gundar Joint Channel Scheme,
Block -IV,
Pudukottai District.

3.The Tahsildar,
(Land Acquisition),
Cauvery Vaigai Gundar Joint Channel Scheme,
Block -IV,
Pudukottai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the third respondent to disburse the compensation amount to the Petitioner for the acquisition of the Petitioner's land comprised in S.No.154/3 to an extent of 85 cents situated at Sembattur Villge, Pudukkottai Taluk, Pudukkottai District in the



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light of third respondent's proceedings, dated 12.12.2024 within the time stipulated by this Court.

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For Petitioner : Mr.S.Alagusundar

For Respondents : Mr.D.S.Nedunchezian
1 to 3 Government Advocate

ORDER

The Writ Petition is filed seeking a direction to the third respondent to disburse the compensation amount to the Petitioner in respect of the property in S.No.154/3 to an extent of 85 cents situated at Sembattur Villge, Pudukkottai Taluk, Pudukkottai District which was acquired for the purpose of construction of link channel under Cauvery Vaigai Gundar Joint Channel Scheme.

2.Mr.D.S.Nedunchezian, learned Government Advocate takes notice for the respondents 1 to 3. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3.It is the case of the Petitioner that 1 acre 13 cents of land in subject survey number was purchased by the Petitioner's mother on 14.8.1989. The Petitioner's mother executed a registered settlement deed on 17.3.2002 in favour of the Petitioner. The



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Petitioner has been in possession and enjoyment of the subject property by putting up a terraced and tiled house thereon. The Petitioner is cultivating the remaining portion of the property. Patta for the subject property stands in the name of Petitioner in Patta No.263. A portion of the land situated in the above mentioned survey number which is in possession of the Petitioner was acquired for the above mentioned project. The third respondent, after issuing notice to the Petitioner, fixed the compensation payable for the acquired land. In the meantime, some third parties made objection to the third respondent claiming right over the acquired property. The third respondent conducted an enquiry and passed an order on 12.12.2024 in Mu.Mu.No.06/2024/Ka.Vai.Ku-4 stating that in the absence of objectors producing the civil Court order against the disbursement of the compensation amount, the amount should be disbursed to the present patta holder. In spite of the said order passed by the second respondent, till date compensation amount has not been paid. Therefore the Petitioner has come before this Court with the present Writ Petition for the relief stated supra.

4.Mr.D.S.Neduchezian, learned Government Advocate who takes notice for the respondents 1 to 3 would submit that some of the third parties instituted a civil suit against the Petitioner



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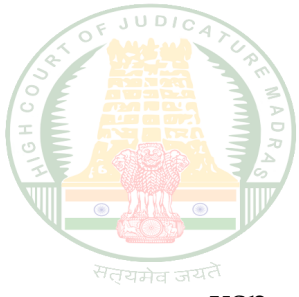
seeking injunction. Therefore compensation amount has not been paid to the Petitioner. It is not the case of the learned Government Advocate that a restraint order has been passed by the Civil Court restraining them from disbursing the compensation amount.

5.In view of the same, if the respondents have got a genuine doubt about the person entitled to receive the compensation amount, then it is for them to make a reference to the Civil Court in accordance with the provisions of the relevant Land Acquisition Act. If the objectors are not able to establish any semblance of right over the subject property, there is no impediment for the official respondents to disburse the compensation amount to the Petitioner. Therefore, the third respondent is directed to consider the request of the Petitioner for payment of compensation amount and pass final orders on its own merits within a period of four weeks from the date of receipt of a copy of this order.

6.With the above directions, the Writ Petition stands disposed of. No costs.

20.08.2025

NCS : Yes/No
Index : Yes / No
Internet : Yes / No



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S.SOUNTHAR.,J.

vsn

ORDER MADE IN

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