



W.P(MD)No.24368 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.06.2025

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THE HONOURABLE MR.JUSTICE S.SOUNTHAR

Writ Petition(MD)No.24368 of 2022
and
W.M.P(MD)No.17526 of 2024

Pothiraj

..Petitioner

Vs

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The District Revenue Officer/Land Acquisition Officer,
Virudhunagar,
Virudhunagar District.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the 2nd respondent to disperse the compensation amount to the legal heirs of the petitioner's father, Perumalsami, S/o. Periyannallava Naicker @ Nallava Naicker for the acquisition of his land of bearing Survey No.338/7 - 0.40.50 Ares and Survey No.338/9 - 0.31.00 Ares - Patta No.359 situated at Pethureddipatti Village, Sathur Taluk, Virudhunagar District, for the Double Lane of Madurai - Maniyatchi - Thoothukudi Railway line.



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For Petitioner : Mr.M.Kala Murugappan
For Respondents : Mr.M.Gangatharan
Govt. Advocate

ORDER

The petitioner herein seeks a direction to the second respondent to disburse the compensation amount payable to the legal heirs of the petitioner's father, Perumalsami, S/o. Periyannallava Naicker @ Nallava Naicker, for the acquisition of his land to an extent of - 0.40.50 ares in Survey No.338/7, and the land to an extent of 0.31.00 ares in Survey No. 338/9, Patta No.359, situated at Pethureddipatti Village, Sathur Taluk, Virudhunagar District, for the double lane of Madurai-Maniyatchi-Thoothukudi Railway line.

2. It is not in dispute that the above-said property belonging to the father of the petitioner, Perumalsamy, was acquired by the respondents for the above-mentioned project and the compensation amount has not been paid to the petitioner and other legal heirs of the said Perumalsamy.

3. In the counter affidavit filed by the second respondent/District Revenue Officer, it is stated that a portion of the land under acquisition was sold to one Suresh, M/s Agro Product Private Limited, Chennai, vide sale deed No.1169/2007 by the Power Agent of Perumalsamy, namely,



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V.Rajendran. In view of the above dispute with regard to the title, the second respondent decided to deposit the compensation amount before the competent authority constituted under Section 51 r/w Section 77(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

4. It is stated by the learned counsel for the petitioner that the sale deed executed by the Power Agent, Rajendran, was an invalid document. It is also submitted by the petitioner that a representation is pending before the first respondent seeking cancellation of the registered sale deed and for disbursement of the compensation to the legal heirs of the said Perumalsamy.

5. The respondents are not the competent authorities to decide the legality or otherwise of the sale deed in favour of the said M/s Agro Product Private Limited, Chennai. Since there is a dispute with regard to the title, it is for the second respondent to deposit the compensation amount before the appropriate authority constituted under Section 51 r/w Section 77(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, within a period of four weeks from the date of receipt of a copy of this order. The petitioner is at liberty to establish his right and seek necessary orders for withdrawal of the compensation before the appropriate authority.



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6. With the above directions, this writ petition stands disposed of. No costs. Consequently, connected W.M.P(MD)No.17526 of 2024 is closed.

10.06.2025

NCC : Yes/No

Index : Yes/No

Internet:Yes

skn

To

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The District Revenue Officer/Land Acquisition Officer,
Virudhunagar,
Virudhunagar District.



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S.SOUNTHAR, J.

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