

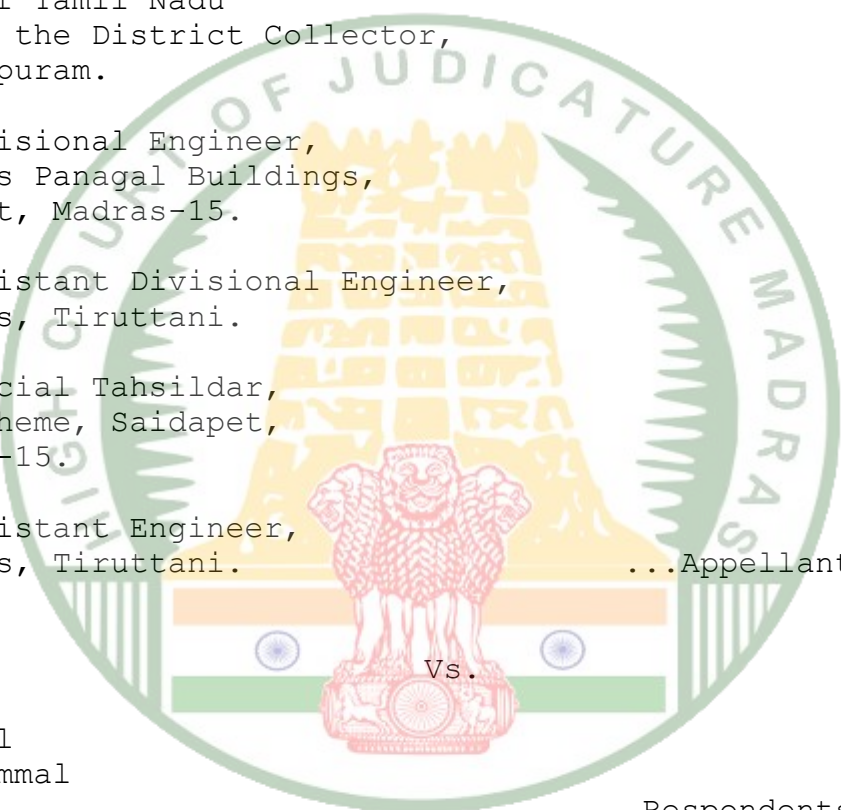
IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.04.2015

CORAM :

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

S.A.No.273 of 2009

- 
1. State of Tamil Nadu
rep. by the District Collector,
Kancheepuram.
2. The Divisional Engineer,
Highways Panagal Buildings,
Saidapet, Madras-15.
3. The Assistant Divisional Engineer,
Highways, Tiruttani.
4. The Special Tahsildar,
MMRD Scheme, Saidapet,
Chennai-15.
5. The Assistant Engineer,
Highways, Tiruttani. ...Appellants/Appellants/
Defendants
- 1.Kuppammal
2.Panchalammal
3.Kuppan ...Respondents/Respondents/
Plaintiffs
- सत्यमेव जयते

Prayer:- This Second Appeal has been filed under Section 100 of Civil Procedure Code against the judgment and decree dated 16.12.2002 passed in A.S.No.98 of 2001 on the file of the learned Additional District Judge, Fast Track Court No.V, Chengalpattu at Tiruvallur, confirming the judgment and decree dated 27.08.1998 made in O.S.No.320 of 1987 on the file of the learned District Munsif, Tiruttani.

For Appellants : Mrs.Saraswathi Sivarama Krishnan
Government Advocate (CS)

For Respondents : Mr.K.Goviganesan

J U D G M E N T

The defendants who are the Revenue Authorities lost their case before the Courts below are the appellants before this Court.

2.The suit is filed by the plaintiffs/respondents for declaration and mandatory injunction, directing the appellants to put them in possession of the suit property and in default through process of Court.

3.On the pleadings of both the parties, necessary issues were framed by the Trial Court. Before the Trial Court, the Plaintiffs had marked Exs.A1 to A6 and PW.1 was examined on the side of the plaintiff. D.W.1 and D.W.2 were examined on the side of the Defendants and Ex.B1 to B3 marked on the defendants' side. The Surveyor report and sketch were marked as Ex.C1 and C2.

4.Both the Courts below, have held in favour of the plaintiffs/respondents. The Lower Appellate Court had directed the defendants/Revenue Authorities to pay compensation for the land acquired by them, which is of an extent of 43 cents in S.No.33/2A, to the respondents within a period of six months on due enquiry or to deliver possession of the acquired lands. Aggrieved by the same, the appellants/defendants are before this Court by way of filing this second appeal.

5.This court heard the submissions of the learned counsel for the Appellants and also perused the material records placed.

6.It is represented by the learned counsel for the respondents that the said lands were utilised for the purpose of laying road. Hence, the Revenue Authorities are only to pay compensation to the respondents. He further submitted that on 27.05.2004, the appellants herein had paid the compensation amount of Rs.7 lakhs to the respondents and the respondents also had received the same.

7.Recording the said submission made by the learned counsel for the respondents and as the decree granted by the Courts below to pay the compensation for the land utilised by the appellants are

complied with, nothing survives in this second appeal. Therefore, the Second Appeal is dismissed accordingly. No costs.

Sd/-
Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

DP

To

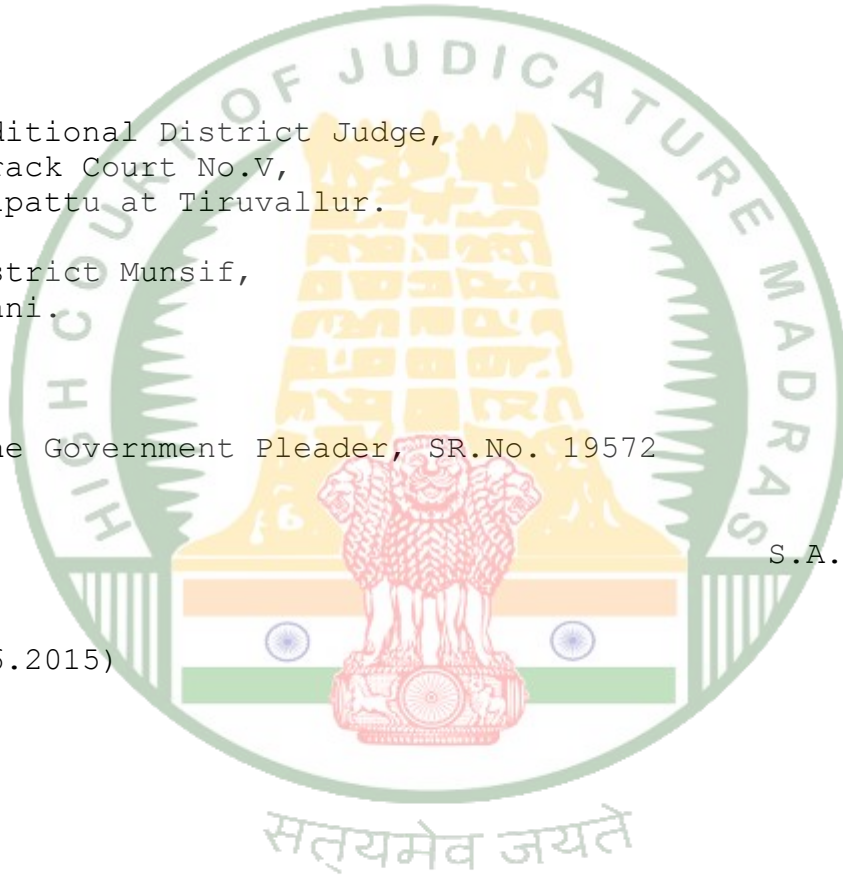
1. The Additional District Judge,
Fast Track Court No.V,
Chengalpattu at Tiruvallur.

2. The District Munsif,
Tiruttani.

1 CC to the Government Pleader, SR.No. 19572

S.A.No.273 of 2009

PPA (CO)
PSI (03.06.2015)



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