

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29-11-2016

CORAM

THE HONOURABLE MR.JUSTICE A.SELVAM
and
THE HONOURABLE MR.JUSTICE P.KALAIYARASAN

Appeal Suit Nos.821 to 942, 1006 to 1109 of 2015 and 63 to 161
of 2016

and
connected M.Ps. And C.M.Ps.

In A.S.No.821 of 2015:

The Special Tahsildar
Land Acquisition
Thiruvottiyur-Ponneri
Panjetty Salai Scheme ... Appellant in all Appeals/ 1st
Respondent in All LAOPs

Vs

Ragavan ..Respondents in AS.821/15/Claimants in LAOP.202/10
Munusamy..Respondents in AS.822/15/Claimants in LAOP.143/10
Suseela ..Respondents in AS.823/15/Claimants in LAOP.144/10
Agasian ..Respondents in AS.824/15/Claimants in LAOP.145/10
Bee Fathima Beevi ..Respondents in AS.825/15/Claimants in
LAOP.146/10

Suseela W/o.Subramani ..Respondents in AS.826/15/Claimants in
LAOP.147/10

Rajeswari..Respondents in AS.827/15/Claimants in LAOP.148/10
Vijaya ..Respondents in AS.828/15/Claimants in LAOP.149/10
Arputham ..Respondents in AS.829/15/Claimants in LAOP.162/10
Banumathy..Respondents in AS.830/15/Claimants in LAOP.163/10
Bhavani ..Respondents in AS.831/15/Claimants in LAOP.164/10
Thenmozhi..Respondents in AS.832/15/Claimants in LAOP.165/10
Boopathy ..Respondents in AS.833/15/Claimants in LAOP.166/10
Nagabushanam ..Respondents in AS.834/15/Claimants in
LAOP.167/10

Malar ..Respondents in AS.835/15/Claimants in LAOP.168/10
Vaduvammal..Respondents in AS.836/15/Claimants in LAOP.169/10
Thenammal ..Respondents in AS.837/15/Claimants in LAOP.170/10
Suganthi ..Respondents in AS.838/15/Claimants in LAOP.171/10
Silka ..Respondents in AS.839/15/Claimants in LAOP.172/10
Sasikala ..Respondents in AS.840/15/Claimants in LAOP.173/10
Vasanth ..Respondents in AS.841/15/Claimants in LAOP.174/10
Srinivasan..Respondents in AS.842/15/Claimants in LAOP.175/10
Sivaramaprasath ..Respondents in AS.843/15/Claimants in
LAOP.176/10

Basha ..Respondents in AS.844/15/Claimants in LAOP.177/10
Balamuni ..Respondents in AS.845/15/Claimants in LAOP.178/10

karpagavalli ..Respondents in AS.846/15/Claimants in
LAOP.179/10
Damodharan ..Respondents in AS.847/15/Claimants in LAOP.180/10
Gopi ..Respondents in AS.848/15/Claimants in LAOP.181/10
Sadhanandan..Respondents in AS.849/15/Claimants in LAOP.182/10
Vijayalakshmi ..Respondents in AS.850/15/Claimants in
LAOP.183/10
Damodharamudaliar ..Respondents in AS.851/15/Claimants in
LAOP.184/10
Natarajan ..Respondents in AS.852/15/Claimants in LAOP.185/10
Krishnan ..Respondents in AS.853/15/Claimants in LAOP.187/10
D.Veeraraghavan ..Respondents in AS.854/15/Claimants in
LAOP.188/10
Rajeswari ..Respondents in AS.855/15/Claimants in LAOP.189/10
Sanjeevi ..Respondents in AS.856/15/Claimants in LAOP.190/10
Gnanaselvam..Respondents in AS.857/15/Claimants in LAOP.191/10
Samsondoss ..Respondents in AS.858/15/Claimants in LAOP.192/10
Vasanthan ..Respondents in AS.859/15/Claimants in LAOP.193/10
Unnamalaiammal ..Respondents in AS.860/15/Claimants in
LAOP.195/10
S.Lalitha ..Respondents in AS.861/15/Claimants in LAOP.196/10
Subbarathinam ..Respondents in AS.862/15/Claimants in
LAOP.197/10
Subbarathinammal ..Respondents in AS.863/15/Claimants in
LAOP.198/10
Jayaramchetty ..Respondents in AS.864/15/Claimants in
LAOP.199/10
Pushparaj ..Respondents in AS.865/15/Claimants in LAOP.200/10
P.Murugan ..Respondents in AS.866/15/Claimants in LAOP.201/10
Bathraehalalan ..Respondents in AS.867/15/Claimants in
LAOP.203/10
Gopalsamy ..Respondents in AS.868/15/Claimants in LAOP.204/10
Muthukutty Nadar ..Respondents in AS.869/15/Claimants in
LAOP.205/10
Suresh ..Respondents in AS.870/15/Claimants in LAOP.206/10

Ravi ..Respondents in AS.871/15/Claimants in LAOP.207/10
Rajendran..Respondents in AS.872/15/Claimants in LAOP.208/10
Sulochana..Respondents in AS.873/15/Claimants in LAOP.209/10
Kannammal..Respondents in AS.874/15/Claimants in LAOP.210/10
Parasuraman ..Respondents in AS.875/15/Claimants in
LAOP.211/10
Venkatarathinam ..Respondents in AS.876/15/Claimants in
LAOP.212/10
Jayammal ..Respondents in AS.877/15/Claimants in LAOP.213/10
Selvamudaliar..Respondents in AS.878/15/Claimants in
LAOP.214/10
Vijayakumari ..Respondents in AS.879/15/Claimants in
LAOP.215/10
P.Anandarao..Respondents in AS.880/15/Claimants in LAOP.216/10
Kumar Venkatesalu ..Respondents in AS.881/15/Claimants in
LAOP.217/10
Rajeswari ..Respondents in AS.882/15/Claimants in LAOP.218/10
Boonathy ..Respondents in AS.883/15/Claimants in LAOP.219/10

Nagabuvanammal..Respondents in AS.884/15/Claimants in
LAOP.220/10

Thenmozhi ..Respondents in AS.885/15/Claimants in LAOP.221/10

Vasanth ..Respondents in AS.886/15/Claimants in LAOP.222/10

Rajithammal..Respondents in AS.887/15/Claimants in LAOP.223/10

Sasikala ..Respondents in AS.888/15/Claimants in LAOP.224/10

Siluke ..Respondents in AS.889/15/Claimants in LAOP.225/10

Suganth ..Respondents in AS.890/15/Claimants in LAOP.226/10

Srinivasan..Respondents in AS.891/15/Claimants in LAOP.227/10

Meena ..Respondents in AS.892/15/Claimants in LAOP.228/10

Siva ..Respondents in AS.893/15/Claimants in LAOP.229/10

Damodharan..Respondents in AS.894/15/Claimants in LAOP.230/10

Venkateswarulu ..Respondents in AS.895/15/Claimants in
LAOP.231/10

Paulraj ..Respondents in AS.896/15/Claimants in LAOP.232/10

Dasaratha Reddy ..Respondents in AS.897/15/Claimants in
LAOP.235/10

Naveen Chandra ..Respondents in AS.898/15/Claimants in
LAOP.236/10

Naveen Chandra ..Respondents in AS.899/15/Claimants in
LAOP.237/10

Krihore Malligarjuna ..Respondents in AS.900/15/Claimants in
LAOP.238/10

Vijayakumari..Respondents in AS.901/15/Claimants in
LAOP.239/10

Santha ..Respondents in AS.902/15/Claimants in LAOP.240/10

Muthupreeti..Respondents in AS.903/15/Claimants in LAOP.241/10

Alamelu ..Respondents in AS.904/15/Claimants in LAOP.242/10

Adhilakshmi..Respondents in AS.905/15/Claimants in LAOP.243/10

Thenammal ..Respondents in AS.906/15/Claimants in LAOP.244/10

Vaduvammal ..Respondents in AS.907/15/Claimants in LAOP.245/10

Vetrivel ..Respondents in AS.908/15/Claimants in LAOP.246/10

Anandavel ..Respondents in AS.909/15/Claimants in LAOP.247/10

Jayasankar ..Respondents in AS.910/15/Claimants in LAOP.248/10

Kamathciammal..Respondents in AS.911/15/Claimants in
LAOP.249/10

Arul

Anbezhilan

Meiyazhagan..Respondents in AS.912/15/Claimants in LAOP.250/10

Vaidyalingam..Respondents in AS.913/15/Claimants in
LAOP.251/10

Ravikumar ..Respondents in AS.914/15/Claimants in LAOP.252/10

Duraisamy ..Respondents in AS.915/15/Claimants in LAOP.254/10

Ganesan ..Respondents in AS.916/15/Claimants in LAOP.255/10

Pandianadar..Respondents in AS.917/15/Claimants in LAOP.256/10

Gopal ..Respondents in AS.918/15/Claimants in LAOP.257/10

Vaideeswaran..Respondents in AS.919/15/Claimants in LAOP.258/10

Sampath ..Respondents in AS.920/15/Claimants in LAOP.259/10

Sivagangaiammal ..Respondents in AS.921/15/Claimants in
LAOP.260/10

Malar ..Respondents in AS.922/15/Claimants in LAOP.336/10

Nagabooshanammal ..Respondents in AS.923/15/Claimants in
LAOP.337/10

Boopathy ..Respondents in AS.924/15/Claimants in LAOP.338/10

Arputham ..Respondents in AS.925/15/Claimants in LAOP.339/10

Banumathi ..Respondents in AS.926/15/Claimants in LAOP.340/10

Pankajakumari

M.Ramadevi

V.Umadevi

T.Sarala

L.Nirmaladevi..Respondents in AS.927/15/Claimants in
LAOP.341/10

Perumal ..Respondents in AS.928/15/Claimants in LAOP.342/10

Varadharaj ..Respondents in AS.929/15/Claimants in LAOP.117/10

Sukumar ..Respondents in AS.930/15/Claimants in LAOP.118/10

Vasanthakumari ..Respondents in AS.931/15/Claimants in
LAOP.146/10

Munusamy ..Respondents in AS.932/15/Claimants in LAOP.9/12

Sakunthalaammal ..Respondents in AS.933/15/Claimants in
LAOP.10/12

Soosainathan ..Respondents in AS.934/15/Claimants in
LAOP.12/12

Vetrivel ..Respondents in AS.935/15/Claimants in LAOP.13/12

Samundeeswari ..Respondents in AS.936/15/Claimants in
LAOP.14/12

Lakshmi ..Respondents in AS.937/15/Claimants in LAOP.15/12

Kamalakannan ..Respondents in AS.938/15/Claimants in
LAOP.16/12

Duraiswamy ..Respondents in AS.939/15/Claimants in LAOP.17/12

maniammal ..Respondents in AS.940/15/Claimants in LAOP.19/12

Krishnan ..Respondents in AS.941/15/Claimants in LAOP.20/12

Kothandan ..Respondents in AS.942/15/Claimants in LAOP.21/12

Venkatesan ..Respondents in AS.1006/15/Claimants in LAOP.142/10

Pushpalatha..Respondents in AS.1007/15/Claimants in LAOP.72/10

B.Ethiraj ..Respondents in AS.1008/15 & 1009/15/Claimants in
LAOP.73/10 & 74/10

P.Selvaraj ..Respondents in AS.1010/15/Claimants in LAOP.75/10

SDV.Chandru..Respondents in AS.1011/15/Claimants in LAOP.76/10

SDV.Divakar..Respondents in AS.1012/15/Claimants in LAOP.77/10

Sarithri Gupta ..Respondents in AS.1013/15/ & 1014/15
Claimants in LAOP.78/10/ 79/10

A.Narayanan..Respondents in AS.1015/15/Claimants in LAOP.81/10

M/s.Marine Container Service ..Respondents in
AS.1016/15/Claimants in LAOP.82/10

N.Mohanraj ..Respondents in AS.1017/15/Claimants in LAOP.83/10

T.thilagaraj..Respondents in AS.1018/15/Claimants in LAOP.84/10

S.Rajendran..Respondents in AS.1019/15/Claimants in LAOP.85/10

R.V.Yesodhammal ..Respondents in AS.1020/15/Claimants in
LAOP.86/10

Chandrababu..Respondents in AS.1021/15/Claimants in LAOP.87/10

V.Thangavelu..Respondents in AS.1022/15/Claimants in LAOP.88/10

K.Gangaprasath

Pavankumar ..R2 in AS.1023/15/Claimants in LAOP.89/10

PadmaRao

BaskarRao ..Respondents in AS.1024/15/Claimants in LAOP.90/10

Padma Rao, Executive Director ..Respondents in
AS.1025/15/Claimants in LAOP.91/10

Karunakaran..Respondents in AS.1026/15/Claimants in LAOP.92/10

S.Ravi ..Respondents in AS.1027/15/Claimants in LAOP.93/10

Ashok RPatel.Respondents in AS.1028/15/Claimants in LAOP.95/10

S.Srinivasan.Respondents in AS.1029/15/Claimants in LAOP.96/10

A.David Maninesan ..Respondents in AS.1030/15/Claimants in
LAOP.97/10

Udhan ..Respondents in AS.1031/15/Claimants in LAOP.98/10

Kathirvelu ..Respondents in AS.1032/15/Claimants in LAOP.99/10

RagavendraRao.. Respondents in AS.1033/15/Claimants in
LAOP.100/10

Ramakrishna Rao ..Respondents in AS.1034/15/Claimants in
LAOP.101/10

Srikala ..Respondents in AS.1035/15/Claimants in LAOP.102/10

ArumugaGani.Respondents in AS.1036/15/Claimants in LAOP.103/10

Kommanuri Chinnakarnam ..Respondents in AS.1037/15/Claimants
in LAOP.104/10

Govindaraj ..Respondents in AS.1038/15/Claimants in LAOP.105/10

padma ..Respondents in AS.1039/15/Claimants in LAOP.106/10

Sulochana ..Respondents in AS.1040/15/Claimants in LAOP.108/10

Govindan ..Respondents in AS.1041/15/Claimants in LAOP.109/10

Gopal ..Respondents in AS.1042/15/Claimants in LAOP.110/10

V.P.Raj ..Respondents in AS.1043/15/Claimants in LAOP.111/10

Varadhammal.Respondents in AS.1044/15/Claimants in LAOP.112/10

Paramasivam

Nithilan

Vimalan

Narendran

Sripriya ..R1 to R5 in AS.1045/15/Claimants in LAOP.113/10

Ramesh Reddy ..Respondents in AS.1046/15/Claimants in
LAOP.114/10

Thirupal ..Respondents in AS.1047/15/Claimants in LAOP.115/10

Mohideen ..Respondents in AS.1048/15/Claimants in LAOP.116/10

Jayavelu ..Respondents in AS.1049/15/Claimants in LAOP.117/10

Aathilaga Nadar ..Respondents in AS.1050/15/Claimants in
LAOP.118/10

Velusamy ..Respondents in AS.1051/15/Claimants in LAOP.119/10

Suriya Narayanan ..Respondents in AS.1052/15/Claimants in
LAOP.120/10

Shanmugalakshmi ..Respondents in AS.1053/15/Claimants in
LAOP.121/10

Nagaraj ..Respondents in AS.1054/15/Claimants in LAOP.122/10

Vaithyalingam ..Respondents in AS.1055/15/Claimants in
LAOP.123/10

Bommithangam ..Respondents in AS.1056/15/Claimants in
LAOP.124/10

Rathinakumar ..Respondents in AS.1057/15/Claimants in
LAOP.125/10
Rammohan Rao ..Respondents in AS.1058/15/Claimants in
LAOP.126/10
Sekar ..Respondents in AS.1059/15/Claimants in LAOP.127/10
Pandia Nadu.Respondents in AS.1060/15/Claimants in LAOP.128/10
Karunakaran.Respondents in AS.1061/15/Claimants in LAOP.129/10
M/s.Marine Conainer Services,
Vallur-II,
Chennai. .Respondents in AS.1062/15/Claimants in LAOP.130/10
sampoornammal ..Respondents in AS.1063/15/Claimants in
LAOP.131/10
V.L.Srinivasan ..Respondents in AS.1064/15/Claimants in
LAOP.132/10
Kanniammal ..Respondents in AS.1065/15/Claimants in
LAOP.133/10
Srinivasan..Respondents in AS.1066/15/Claimants in LAOP.134/10
Krisnammal..Respondents in AS.1067/15/Claimants in LAOP.135/10
K.Venkatesan.Respondents in AS.1068/15/Claimants in LAOP.136/10
Jayaraman .Respondents in AS.1069/15/Claimants in LAOP.137/10
A.P.Pattabi.Respondents in AS.1070/15/Claimants in LAOP.138/10
Selvam .Respondents in AS.1071/15/Claimants in LAOP.139/10
Angaiyan .Respondents in AS.1072/15/Claimants in LAOP.140/10
A.P.Babu .Respondents in AS.1073/15/Claimants in LAOP.141/10
Anbalagan .Respondents in AS.1074/15/Claimants in LAOP.145/10
Samundeeswari ..Respondents in AS.1075/15/Claimants in
LAOP.150/10
Venkatesh Reddy ..Respondents in AS.1076/15/Claimants in
LAOP.151/10
Udayappan .Respondents in AS.1077/15/Claimants in LAOP.152/10
Nithishkumar Bansal ..Respondents in AS.1078/15/Claimants in
LAOP.153/10
Ashok R Patel ..Respondents in AS.1079/15/Claimants in
LAOP.154/10
Srinivasan .Respondents in AS.1080/15/Claimants in LAOP.155/10
Nehru .Respondents in AS.1081/15/Claimants in LAOP.156/10
Kumaravel ..Respondents in AS.1082/15/Claimants in LAOP.157/10
Chandragandhi ..Respondents in AS.1083/15/Claimants in
LAOP.158/10
Sivakumar ..Respondents in AS.1084/15/Claimants in LAOP.159/10
Devasundrya..Respondents in AS.1085/15/Claimants in
LAOP.160/10
Gopi ..Respondents in AS.1086/15/Claimants in LAOP.161/10
Elumalai ..Respondents in AS.1087/15/Claimants in LAOP.351/10
Raghava Rao Iyyar ..Respondents in AS.1088/15/Claimants in
LAOP.352/10
Vijayalakshmi ..Respondents in AS.1090/15/Claimants in
LAOP.353/10
Dharmar ..Respondents in AS.1091/15/Claimants in LAOP.354/10
Muthukumaran ..Respondents in AS.1092/15/Claimants in
LAOP.355/10

Sagayamarry ..Respondents in AS.1093/15/Claimants in
LAOP.356/10
Boomathi ..Respondents in AS.1094/15/Claimants in LAOP.357/10
Murugalingam ..Respondents in AS.1095/15/Claimants in
LAOP.358/10
Subramani..Respondents in AS.1096/15/Claimants in LAOP.359/10
Jayarama Chetty ..Respondents in AS.1097/15/Claimants in
LAOP.360/10
Arunachalam ..Respondents in AS.1098/15/Claimants in
LAOP.361/10
David mani Nesan ..Respondents in AS.1099/15/Claimants in
LAOP.362/10
Subba Rao ..Respondents in AS.1100/15/Claimants in LAOP.367/10
Santhakumari ..Respondents in AS.1101/15/Claimants in
LAOP.389/10
Manohar ..Respondents in AS.1102/15/Claimants in LAOP.390/10
Ratimadullah ..Respondents in AS.1103/15/Claimants in
LAOP.391/10
Vijayakumar..Respondents in AS.1104/15/Claimants in LAOP.392/10
Venkatesan Reddy ..Respondents in AS.1105/15/Claimants in
LAOP.393/10
Nandan ..Respondents in AS.1106/15/Claimants in LAOP.394/10
Rajeswari..Respondents in AS.1107/15/Claimants in LAOP.395/10
Manohar ..Respondents in AS.1108/15/Claimants in LAOP.396/10

Govindaraj
Padma ..Respondents in AS.1109/15/Claimants in LAOP.18/12

Kala Krishnamurthy ..R1 in AS.63/16/Claimants in LAOP.261/10
Selvaraj ..R1 in AS.64/16/Claimants in LAOP.262/10
Srinivasan..R1 in AS.65/16/Claimants in LAOP.263/10
Gurusamy ..R1 in AS.66/16/Claimants in LAOP.264/10
Jamuna ..R1 in AS.67/16/Claimants in LAOP.265/10
Devakiammal..R1 in AS.68/16/Claimants in LAOP.266/10
Annamalai..R1 in AS.69/16/Claimants in LAOP.267/10
Sugumar ..R1 in AS.70/16/Claimants in LAOP.268/10
Girija Kumar ..R1 in AS.71/16/Claimants in LAOP.270/10
Shee Joseph ..R1 in AS.72/16/Claimants in
LAOP.272/10
Parish Priest..R1 in AS.73/16/Claimants in LAOP.273/10
Stephen Devaraj ..R1 in AS.74/16/Claimants in LAOP.274/10
Sugumar ..R1 in AS.75/16/Claimants in LAOP.275/10
Malliga ..R1 in AS.76/16/Claimants in LAOP.276/10
Petharajan..R1 in AS.77/16/Claimants in LAOP.277/10
Ravi ..R1 in AS.78/16/Claimants in LAOP.278/10
Prakasam ..R1 in AS.79/16/Claimants in LAOP.280/10
Ganesan ..R1 in AS.80/16/Claimants in LAOP.282/10
Balasundaram ..R1 in AS.81/16/Claimants in LAOP.283/10

Vedhantham
S/o.Vasudeva Chettiyar..R1 in AS.82&83/16/Claimants in
LAOP.284 & 285/10
Baskaran ..R1 in AS.84/16/Claimants in LAOP.285/10
Babu ..R1 in AS.85/16/Claimants in LAOP.286/10

Sudhakar ..R1 in AS.86/16/Claimants in LAOP.287/10
Sasikala Kumari ..R1 in AS.87/16/Claimants in LAOP.288/10
Kannabiran..R1 in AS.88/16/Claimants in LAOP.289/10
Kathirvel ..R1 in AS.89/16/Claimants in LAOP.291/10
Srinivasan..R1 in AS.90/16/Claimants in LAOP.292/10
Rajendiran..R1 in AS.91/16/Claimants in LAOP.293/10
R.Alagesan..R1 in AS.92/16/Claimants in LAOP.294/10
R.Adhikesavan ..R1 in AS.93/16/Claimants in LAOP.295/10
Sampathkumar ..R1 in AS.94/16/Claimants in LAOP.296/10
Vishnu Baghavan Garg ..R1 in AS.95/16/Claimants in LAOP.298/10
Vedhantham..R1 in AS.96/16/Claimants in LAOP.299/10
Thulasingham..R1 in AS.97/16/Claimants in LAOP.300/10
Selvi ..R1 in AS.98/16/Claimants in LAOP.301/10
Alamelu ..R2 in AS.98/16/Claimants in LAOP.301/10

Mani ..R1 in AS.99/16/Claimants in LAOP.302/10
Bathirinathan ..R1 in AS.100/16/Claimants in LAOP.303/10
Raja ..R1 in AS.100/16/Claimants in LAOP.304/10

R.J.Visu
R.J.Narayanan
R.J.Rukmani..R1 to R3 in AS.102/16/Claimants in LAOP.305/10

Rajendran ..R1 in AS.103/16/Claimants in LAOP.306/10
Jayammal ..R1 in AS.104/16/Claimants in LAOP.307/10
Ganesan ..R1 in AS.105/16/Claimants in LAOP.308/10
Panneerselvam ..R1 in AS.106/16/Claimants in LAOP.309/10
Jagan ..R1 in AS.107/16/Claimants in LAOP.310/10
Ragunadhan..R1 in AS.108/16/Claimants in LAOP.311/10
Rukmani ..R1 in AS.109/16/Claimants in LAOP.314/10
Vaidhyalingam ..R1 in AS.110/16/Claimants in LAOP.315/10
Duraipandian ..R1 in AS.111/16/Claimants in LAOP.316/10
Balaji ..R1 in AS.112/16/Claimants in LAOP.317/10
Kalaimathi..R1 in AS.113/16/Claimants in LAOP.318/10
Kannabiran..R1 in AS.114/16/Claimants in LAOP.319/10
Sekar ..R1 in AS.115/16/Claimants in LAOP.320/10
Selvam ..R1 in AS.116/16/Claimants in LAOP.321/10
Ganapathy ..R1 in AS.117/16/Claimants in LAOP.322/10
Radhabaiammal ..R1 in AS.118/16/Claimants in LAOP.323/10
Jaisankar..R1 in AS.119/16/Claimants in LAOP.324/10
Selvam ..R1 in AS.120/16/Claimants in LAOP.325/10
Natarajan..R1 in AS.121/16/Claimants in LAOP.326/10
Anandan ..R1 in AS.122/16/Claimants in LAOP.327/10
Anusuya ..R1 in AS.123/16/Claimants in LAOP.328/10
Sumathi ..R1 in AS.124/16/Claimants in LAOP.330/10
Raman ..R1 in AS.125/16/Claimants in LAOP.331/10
M/s.Orissa Stevedores Ltd.,
Mr.G.Gandeean,
Authorised Signatory..R1 in AS.126/16/Claimants in LAOP.332/10

Ravichandran ..R1 in AS.127/16/Claimants in LAOP.333/10
Kothandan..R1 in AS.128/16/Claimants in LAOP.335/10

M/s.Container Base
Madras P Ltd.,..R1 in AS.130/16/ Claimants in
LAOP.363/10
Pattammal..R1 in AS.130/16/Claimants in LAOP.364/10
M/s.Gupta Investments
Corporation ..R1 in AS.131 & 132/16/Claimants in
LAOP.365 & 366/10
Annammal..R1 in AS.133 & 134 and 135/16/Claimants in
LAOP.368, 369 & 370/10

Vivek Gupta ..R1 in AS.136/16/Claimants in LAOP.371/10
Selvaraj ..R1 in AS.137/16/Claimants in LAOP.372/10
Thiruvengadam
Jayasekar..R1&R2 in AS.138/16/Claimants in LAOP.373/10
Thulasimariammmal ..R1 in AS.139/16/Claimants in LAOP.374/10

Vanasendil..R1 in AS.140/16/Claimants in LAOP.375/10
Rajendran ..R1 in AS.141/16/Claimants in LAOP.376/10

Jones
Cibi ..R1&R2 in AS.142/16/Claimants in LAOP.377/10
Kovilpillai..R1 in AS.143/16/Claimants in LAOP.378/10
Poongodi ..R1 in AS.144/16/Claimants in LAOP.379/10
Kothandapani..R1 in AS.145/16/Claimants in LAOP.380/10
Deepak Kumar ..R1 in AS.146/15/Claimants in LAOP.381/10

Thulasimariammmal
Vanasendil..R1&R2 in AS.147/16/Claimants in LAOP.387/10
Manchand ..R1 in AS.148/16/Claimants in LAOP.116/11
Sumathi ..R1 in AS.149/16/Claimants in LAOP.124/11

M/s.G.T.C.Exports ..R1 in AS.150/16/Claimants in LAOP.125/11

Dhanalakshmi
Gunasundari..R1&R2 in AS.151/16/Claimants in LAOP.148/11

Rajendran ..R1 in AS.152/16/Claimants in LAOP.149/11
Dhayalan ..R1 in AS.153/16/Claimants in LAOP.150/11
Ghisulal ..R1 in AS.154/16/Claimants in LAOP.151/11
chandanmal..R1 in AS.155/16/Claimants in LAOP.152/11
Ramakrishnan..R1 in AS.156/16/Claimants in LAOP.153/11
Savithiridevi ..R1 in AS.157/16/Claimants in LAOP.154/11
Selvam ..R1 in AS.158/16/Claimants in LAOP.7/12
M/s.G.T.C.Exports ..R1 in AS.159/16/Claimants in LAOP.8/12
Venkateshwaralu ..R1 in AS.160/16/Claimants in LAOP.11/12
Loganathan ..R1 in AS.161/16/Claimants in LAOP.46/13

2. Project Director
National Highways Authority of India
(Chennai-Ennore Port Connection)... Respondent in all
Appeals

Prayer:- Appeal suit filed under Section 54 of the Land Acquisition Act against the common judgment and decree passed by the Subordinate Court, Ponneri, in

(i) L.A.O.P.Nos.202, 143 to 149, 162 to 185, 187 to 193, 195 to 201, 203 to 232, 235 to 252, 254 to 260, 336 to 342 of 2010, 117, 118, 146 of 2011, 9, 10, 12 to 17, 19 to 21 of 2012 dated 30-01-2015.

(ii) L.A.O.P.Nos.142, 72 to 79, 81 to 93, 95 to 106, 108 to 141, 150 to 161 of 2010, 350 to 362, 367, 389, 390 to 396 of 2010, 145 of 2011 and 18 of 2012 dated 10-04-2015

(iii) L.A.O.P.Nos.261 to 268, 270, 272 to 278, 280, 282, 283, 284, 285, 286 to 296, 298, 299, 300 to 311, 314 to 328, 330 to 333, 335, 363 to 366, 368 to 381, 387 of 2010, 116, 124, 125, 148 to 154 of 2011, 7, 8, 11 of 2012 and 46 of 2013 dated 22-04-2015

For Appellant : Mr. V.S. Sethuraman, AAG - I
Assisted by
Mr. P.Gunasekaran, A.G.P.(A.S.)

For Respondents : Mr. K. Venkatasubbaraju and
Mr. G. Seetharaman (for claimants)

Mr. Jerry V.V. Sundar for
Mr. P. Wilson Associates
(National Highways)

COMMON JUDGMENT

(Judgment of the Court was delivered by A.SELVAM, J.)

These appeal suits are directed against the common awards passed in (i) L.A.O.P.Nos.202, 143 to 149, 162 to 185, 187 to 193, 195 to 201, 203 to 232, 235 to 252, 254 to 260, 336 to 342 of 2010, 117, 118, 146 of 2011, 10, 12 to 17, 19 to 21 of 2012 dated 30-01-2015, (ii) L.A.O.P.Nos.142, 72 to 79, 81 to 93, 95 to 141, 150 to 161 of 2010, 350 to 362, 367, 389, 390 to 396 of 2010, 145 of 2011 and 18 of 2012 dated 10-04-2015, (iii) L.A.O.P.Nos.7, 8, 11, 284, 285, 299, 261 to 268, 270, 272 to 278, 280, 282, 283, 286 to 296, 298, 300 to 311, 314 to 328, 330 to 333, 335, 363 to 366, 368 to 381, 387 of 2010, 116, 124, 125, 148 to 154 of 2011, 46 of 2013 dated 22-04-2015, by the Land Acquisition Tribunal/ Sub-Court, Ponneri.

2. The appellant herein, as Land Acquisition Officer, has acquired the lands, in question, for the purpose of widening the existing roads and also for forming connecting roads and awarded compensation of Rs.37/-, Rs.39/- and Rs.45/- per square feet, respectively. The claimants have not conceded the quantum of compensation fixed by the Land Acquisition Officer and therefore, various references have been made to the Land Acquisition Tribunal/Sub-Court, Ponneri and the same have been taken on file in Land Acquisition Original Petitions, which have been mentioned supra.

3. The specific case of the claimants is that near the acquired lands so many facilities are available and various house plots are in existence. Under the said circumstances, the amount of compensation given by the Land Acquisition Officer is very meagre.

4. The Land Acquisition Tribunal/ Sub-Court, Ponneri after considering the rival evidence available on record and also after hearing arguments of both sides has awarded a sum of Rs.524/- (Rupees Five hundred twenty four only) per square feet by way of compensation by passing the common awards and the same have been challenged in the present appeal suits.

5. Since common questions of law and facts are involved in all these appeals, common judgment is pronounced.

6. Before contemplating the rival submissions made on either side, the Court has to narrate the following admitted facts:

It is an admitted fact that the lands, in question, have been acquired for the purpose of widening existing roads and also for formation of new connecting roads. The Land Acquisition Officer has awarded a sum of Rs.37/-, Rs.39/- and Rs.45/- per square feet, respectively. It is also equally an admitted fact that Notifications under Section 15(2) of the Tamil Nadu Highways Act, 2001, have been issued on 19-04-2006, 01-06-2006 and 05-07-2006. As mentioned supra, the Land Acquisition Tribunal has awarded a compensation of Rs.524/- (Rupees Five hundred twenty four only) per square feet.

7. The learned Additional Advocate General-I has contended to the effect that from each claimant a piece of land has been acquired and the Land Acquisition Tribunal has simply followed the value mentioned in Ex-C1. In Ex-C1, a smaller extent has been dealt with. Since in Ex-C1 a smaller extent has been dealt with, the value mentioned therein cannot be a basis for fixing compensation to the lands acquired and further, the quantum of deduction adopted by the Land Acquisition Tribunal is very meagre and therefore, the common awards passed by the Land Acquisition Tribunal are liable to be modified.

8. The learned counsel appearing for the claimants has also equally contended that near the lands acquired, so many facilities are available and even so many house plots are in existence and therefore, the lands acquired are having potential value and the Land Acquisition Officer has awarded a meagre compensation of Rs.37/-, Rs.39/- and Rs.45/- per square feet. But the Land Acquisition Tribunal after considering the value mentioned in Ex-C1 and also after giving deduction of 15% has rightly fixed a compensation at Rs.524/- (Rupees Five hundred twenty four only) per square feet and the same does not require any modification.

9. As narrated supra, the Land Acquisition Officer has awarded only a sum of Rs.39/-, Rs.37/- and Rs.45/- per square feet by way of compensation. It is an admitted fact that Notifications under Section 15(2) of Tamil Nadu Highways Act, 2001 have been issued on 19-04-2006, 01-06-2006 and 05-07-2006.

10. As rightly pointed out on either side, the Land Acquisition Tribunal has taken the value fixed in Ex-C1. Ex-C1 has come into existence on 30-08-2005. Therefore, it is quite clear that Ex-C1 has come into existence even prior to issuance of Notifications under Section 15(2) Notification of the said Act and therefore, the value mentioned in Ex-C1 can be taken as a basis for fixing compensation to the lands acquired.

11. In Ex-C1, it has been specifically mentioned to the effect that totally 2431 square feet of land has been sold for a sum of Rs.15,00,000/- and one square feet of land is worth of Rs.670/-. The Land Acquisition Tribunal has given deduction of 15%.

12. Considering the fact that the lands acquired are nanja lands and also considering the fact that the purpose for which the same are acquired, this Court is of the view that 20% reduction would be reasonable for fixing compensation to the acquired lands.

13. It has already been pointed out that the value of one square feet of land has been fixed at Rs.617/- (Rupees Six hundred and seventeen only) in Ex-C1. Out of Rs.617/- (Rupees Six hundred and seventeen only), the Court has to deduct 20%. After deducting 20%, it comes to Rs.484.60p and the same can be rounded off as Rs.485/- (Rupees Four hundred and eighty five only). Therefore, compensation for one square feet of land is fixed at Rs.485/- (Rupees Four hundred and eighty five only) and to that extent, these appeals are liable to be allowed in part.

In fine, these appeal suits are allowed in part, without cost. The common awards passed by the Land Acquisition Tribunal/Sub-Court, Ponneri are modified as follows:

The claimants are entitled to get Rs.485/- per square feet by way of compensation. In other aspects, the common awards passed by the Land Acquisition Tribunal are confirmed.

14. The connected miscellaneous petitions are closed.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

To
1.The Subordinate Judge,
Ponneri.

2.The Special Tahsildar,
Land Acquisition,
Thiruvottiyur - Ponneri,
Panjetty Salai Scheme.

3.The Project Director,
National Highways authority of India,
(Chennai-Ennor Post Connection)

Copy to:
The Section Officer, V.R.Section
High Court, Madras

+1 cc to Govt.Pleader,sr.70072

+3 cc to Mr.K.Venkatasubbaraju, advocate,sr.69793, 794, 795.

sai(co)
krd 30/1

Appeal Suit Nos.821 to 942,
1006 to 1109 of 2015 and 63 to 161 of 2016

सत्यमेव जयते

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