



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Friday the Fourth day of December Two Thousand and Twenty

PRESENT

The Hon`ble Mr.Justice M.GOVINDARAJ

A.S.(MD) . No.42 of 2016

P. Sabesan

:Appellant / Petitioner

Vs

1. The Assistant Collector,
(Land Acquisition Officer)
Padmanabhapuram Thucklai,
Kanyakumari District.
2. Indian Rare Earths Limited,
Manavalakurichi
Kanyakumari District.

:Respondents / Respondents

Prayer :- This Appeal Suit filed under Section 54 of Land Acquisition Act, against the award Dated 25/7/2003, passed in L.A.O.P. No. 16 of 1989 on the file of the Court of the Subordinate Judge, Thucklai, Kanyakumari District.

ORDER:- This Appeal coming on for hearing on this day and upon perusing the grounds of Appeal, the award of the Tribunal and the material papers relating to this case and upon hearing the arguments of Mr. T. Lajapathi Roy, Advocate for the Appellant, Mr. J. Gunaseelan Muthiah, Additional Government Pleader appearing for the 1st respondent and Mr. Krishna Srinivasan, Advocate appearing for Mr. S. Ramasubramanian, Advocate for the 2nd respondent, and this Court while disposing of the Appeal, doth order and decree as follows:

1. That the Award dated 25/7/2003, passed in L.A.O.P. No. 16 of 1989 on the file of the Court of the Subordinate Judge, Thucklai, Kanyakumari District, is be and hereby set aside;
2. That the L.A.O.P. No. 16 of 1989 on the file of the Court of the Subordinate Judge, Thucklai, Kanyakumari District be and hereby is remanded to the Subordinate Judge, Eraniel, to reconsider the claim of the appellant, along with other petitions in LAOP Nos. 1 and 8 of 2018, and to pass a speaking order;
3. That both the parties are entitled to file additional documents and to let in additional evidence before the Subordinate Judge, Eraniel;



4. That the Subordinate Judge, Eraniel shall dispose of all the connected cases within a period of three months after resumption of regular Courts or restoration of normal Courts proceeding and pass orders; and

5. That there be no costs in this Appeal Suit.

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Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TO

1. The Subordinate Judge, Eraniel.
2. The Subordinate Judge, Thucklai,
Kanyakumari District.
3. The Assistant Collector,
(Land Acquisition Officer)
Padmanabhapuram Thucklai,
Kanyakumari District.

Copy to:

The Section Officer,
V.R. Section,
Madurai Bench of Madras High Court,
Madurai.(2 copies)

+1CC to the Spl. Government Pleader in Sr. NO.24256.

ORDER DATED 04.12.2020

DECREE

A.S No.42 of 2016

Disposing of the Appeal Suit filed against the award Dated 25/7/2003, passed in L.A.O.P. No. 16 of 1989 on the file of the Court of the Subordinate Judge, Thucklai, Kanyakumari District etc., as stated within.