

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Thursday, the Twelfth day of October Two Thousand Seventeen

PRESENT

THE HON`BLE MR JUSTICE K.K. SASIDHARAN

AND

THE HON`BLE MR JUSTICE P. VELMURUGAN

CMP Nos.14679 to 14709 of 2017

IN AS.Nos.423 to 453 of 2017

1 LAND ACQUISITION OFFICER & [PETITIONER IN ALL THE PETITIONS]
REVENUE DIVISIONAL OFFICER, DHARMAPURI.

Vs

RATHINAM	.. RESPONDENT	in CMP.14679/17 in AS.423/17
MADHAPPAN	.. RESPONDENT	in CMP.14680/17 in AS.424/17
RAJAMMAL	.. RESPONDENT	in CMP.14681/17 in AS.425/17
SANTHI	.. RESPONDENT	in CMP.14682/17 in AS.426/17
CHINNAMMAL	.. RESPONDENT	in CMP.14683/17 in AS.427/17
MADHU	.. RESPONDENT	in CMP.14684/17 in AS.428/17
RAJA	.. RESPONDENT	in CMP.14685/17 in AS.429/17
MUTHU	.. RESPONDENT	in CMP.14686/17 in AS.430/17
PALANI	.. RESPONDENT	in CMP.14687/17 in AS.431/17
LAKSHMI	.. RESPONDENT	in CMP.14688/17 in AS.432/17
NAGARAJ	.. RESPONDENT	in CMP.14689/17 in AS.433/17
DEVARAJ	.. RESPONDENT	in CMP.14690/17 in AS.434/17
MURUGAN	.. RESPONDENT	in CMP.14691/17 in AS.435/17
MUNUSAMY	.. RESPONDENT	in CMP.14692/17 in AS.436/17
SUBRAMANI	.. RESPONDENT	in CMP.14693/17 in AS.437/17

CHINNAKANNU	..	RESPONDENT	in	CMP.14694/17	in	AS.438/17
KASIAMMAL	..	RESPONDENT	in	CMP.14695/17	in	AS.439/17
SAPPANI@KRISHNAN	..	RESPONDENT	in	CMP.14696/17	in	AS.440/17
NANJAMMAL	..	RESPONDENT	in	CMP.14697/17	in	AS.441/17
SANJEEVAN	..	RESPONDENT	in	CMP.14698/17	in	AS.442/17
CHINNASAMY	..	RESPONDENT	in	CMP.14699/17	in	AS.443/17
KAVERI	..	RESPONDENT	in	CMP.14700/17	in	AS.444/17
SEVATHAL	..	RESPONDENT	in	CMP.14701/17	in	AS.445/17
SITHAMMAL	..	RESPONDENT	in	CMP.14702/17	in	AS.446/17
MUTHU	..	RESPONDENT	in	CMP.14703/17	in	AS.447/17
PANCHALAI	..	RESPONDENT	in	CMP.14704/17	in	AS.448/17
SEVATHAN	..	RESPONDENT	in	CMP.14705/17	in	AS.449/17
MANI	..	RESPONDENT	in	CMP.14706/17	in	AS.450/17
SANJEEVAN	..	RESPONDENT	in	CMP.14707/17	in	AS.451/17
VAIRAM	..	RESPONDENT	in	CMP.14708/17	in	AS.452/17
SUBBURU	..	RESPONDENT	in	CMP.14709/17	in	AS.453/17

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to stay the Execution of the decree passed in LAOP No. 4/2013 dated 22/07/2016 on the file of the Court of Subordinate Judge, Dharmapuri (in CMP No.14679 of 2017) pending disposal of the above appeal and thus render justice.AS.No.423 of 2017.

(2) To stay the Execution of the decree passed in LAOP No. 5/2013 dated 22/07/2016 on the file of the Court of Subordinate Judge, Dharmapuri (in CMP No.14680 of 2017) pending disposal of the above appeal and thus render justice.AS.No.424 of 2017.

(3) To stay the Execution of the decree passed in LAOP No. 6/2013 dated 22/07/2016 on the file of the Court of Subordinate Judge, Dharmapuri (in CMP No.14681 of 2017) pending disposal of the above appeal and thus render justice.AS.No.425 of 2017.

(4) To stay the Execution of the decree passed in LAOP No. 7/2013 dated 22/07/2016 on the file of the Court of Subordinate

Judge, Dharmapuri (in CMP No.14682 of 2017) pending disposal of the above appeal and thus render justice.AS.No.426 of 2017.

(5) To stay the Execution of the decree passed in LAOP No. 9/2013 dated 22/07/2016 on the file of the Court of Subordinate Judge, Dharmapuri (in CMP No.14683 of 2017)pending disposal of the above appeal and thus render justice.AS.No.427 of 2017.

(6) To stay the Execution of the decree passed in LAOP No. 10/2013 dated 22/07/2016 on the file of the Court of Subordinate Judge, Dharmapuri (in CMP No.14684 of 2017)pending disposal of the above appeal and thus render justice.AS.No.428 of 2017.

(7) To stay the Execution of the decree passed in LAOP No. 11/2013 dated 22/07/2016 on the file of the Court of Subordinate Judge, Dharmapuri (in CMP No.14685 of 2017) pending disposal of the above appeal and thus render justice.AS.No.429 of 2017.

(8) To stay the execution of the decree passed in LAOP.No.12/2013 dated 22/07/2016 on the file of the Sub Court, Dharmapuri, (in CMP No.14686 of 2017) pending disposal of the above AS.No.430 of 2017.

(9) To stay the execution of the decree passed in LAOP.No.13/2013 dated 22/07/2016 on the file of the Sub Court, Dharmapuri, (in CMP No.14687 of 2017)pending disposal of the above AS.No.431 of 2017.

(10) To stay the execution of the decree passed in LAOP.No.14/2013 dated 22/07/2016 on the file of the Sub Court, Dharmapuri, (in CMP No.14688 of 2017)pending disposal of the above AS.No.432 of 2017.

(11) To stay the execution of the decree passed in LAOP.No.15/2013 dated 22/07/2016 on the file of the Sub Court, Dharmapuri, (in CMP No.14689 of 2017)pending disposal of the above AS.No.433 of 2017.

(12) To stay the execution of the decree passed in LAOP.No.16/2013 dated 22/07/2016 on the file of the Sub Court, Dharmapuri, (in CMP No.14690 of 2017) pending disposal of the above AS.No.434 of 2017.

(13) To stay the execution of the decree passed in LAOP.No.17/2013 dated 22/07/2016 on the file of the Sub Court, Dharmapuri, (in CMP No.14691 of 2017) pending disposal of the above AS.No.435 of 2017.

(14) To stay the execution of the decree passed in LAOP.No.23/2013 dated 22/07/2016 on the file of the Sub Court, Dharmapuri, (in CMP No.14692 of 2017)pending disposal of the above AS.No.436 of 2017.

(15) To stay the Execution of the decree passed in LAOP No. 24/2013 dated 22/07/2016 on the file of the Court of Subordinate Judge, Dharmapuri (in CMP No.14693 of 2017) pending disposal of the above AS.No.437 of 2017.

(16) To stay the Execution of the decree passed in LAOP No. 31/2013 dated 22/07/2016 on the file of the Court of Subordinate Judge, Dharmapuri (in CMP No.14694 of 2017) pending disposal of the above AS.No.438 of 2017.

(17) To stay the Execution of the decree passed in LAOP No. 32/2013 dated 22/07/2016 on the file of the Court of Subordinate Judge, Dharmapuri (in CMP No.14695 of 2017) pending disposal of the above AS.No.439 of 2017.

(18) To stay the Execution of the decree passed in LAOP No. 34/2013 dated 22/07/2016 on the file of the Court of Subordinate Judge, Dharmapuri (in CMP No.14696 of 2017) pending disposal of the above AS.No.440 of 2017.

(19) To stay the Execution of the decree passed in LAOP No. 37/2013 dated 22/07/2016 on the file of the Court of Subordinate Judge, Dharmapuri (in CMP No.14697 of 2017) pending disposal of the above AS.No.441 of 2017.

(20) To stay the Execution of the decree passed in LAOP No. 38/2013 dated 22/07/2016 on the file of the Court of Subordinate Judge, Dharmapuri (in CMP No.14698 of 2017) pending disposal of the above AS.No.442 of 2017.

(21) To stay the Execution of the decree passed in LAOP No. 39/2013 dated 22/07/2016 on the file of the Court of Subordinate Judge, Dharmapuri (in CMP No.14699 of 2017) pending disposal of the above AS.No.443 of 2017.

(22) To stay the execution of the decree passed in LAOP.No.40/2013 dt.22/07/2016 on the file of the court of Sub Court judge Dharmapuri (in CMP No.14700 of 2017) pending disposal of the above AS.No.444 of 2017.

(23) To stay the execution of the decree passed in LAOP.No.42/2013 dt.22/07/2016 on the file of the court of Sub Court judge Dharmapuri (in CMP No.14701 of 2017) pending disposal of the above AS.No.445 of 2017.

(24) To stay the execution of the decree passed in LAOP.No.43/2013 dt.22/07/2016 on the file of the court of Sub Court judge Dharmapuri (in CMP No.14702 of 2017) pending disposal of the above AS.No.446 of 2017.

(25) To stay the execution of the decree passed in LAOP.No.44/2013 dt.22/07/2016 on the file of the court of Sub Court judge Dharmapuri (in CMP No.14703 of 2017) pending disposal of the

above AS.No.447 of 2017.

(26) To stay the execution of the decree passed in LAOP.No.45/2013 dt.22/07/2016 on the file of the court of Sub Court judge Dharmapuri (in CMP No.14704 of 2017)pending disposal of the above AS.No.448 of 2017.

(27) To stay the execution of the decree passed in LAOP.No.46/2013 dt.22/07/2016 on the file of the court of Sub Court judge Dharmapuri (in CMP No.14705 of 2017)pending disposal of the above AS.No.449 of 2017

(28) To stay the execution of the decree passed in LAOP.No.47/2013 dt.22/07/2016 on the file of the court of Sub Court judge Dharmapuri (in CMP No.14706 of 2017) pending disposal of the above AS.No.450 of 2017.

(29) To stay the execution of the Decree passed in LAOP No. 48 of 2013 dated 22/07/2016 on the file of the Sub Court, Dharmapuri (in CMP No.14707 of 2017) pending disposal of the above AS.No.451 of 2017.

(30) To stay the execution of the Decree passed in LAOP No. 51 of 2013 dated 22/07/2016 on the file of the Sub Court, Dharmapuri (in CMP No.14708 of 2017) pending disposal of the above AS.No.452 of 2017 and;

(31) To stay the execution of the Decree passed in LAOP No. 55 of 2013 dated 22/07/2016 on the file of the Sub Court, Dharmapuri (in CMP No.14709 of 2017)pending disposal of the above AS.No.453 of 2017 respectively.

Order : These petitions coming on for orders upon perusing the petitions and the respective affidavits filed in support thereof and upon hearing the arguments of Mr.GUNASEKARAN ADDL GOVT PLEADER (AS), Advocate for the petitioner in all the petitions and of M/S. S.C.VISHWANTH, Advocate on behalf of the Respondents in each the petitions the court made the following order:-

Heard the learned Additional Government Pleader on behalf of the petitioner and the learned counsel for the claimants.

2. There shall be an order of interim stay of the execution of the Award passed in the land acquisition original proceedings, subject to the condition that the petitioner shall deposit 50% of the compensation amount awarded by the Reference Court along with all statutory benefits, including interest, within a period of eight weeks from the date of receipt of a copy of this order, failing which, the interim stay granted shall stand vacated automatically without any further reference to this Court.

3. The claimants are permitted to withdraw one third of the Award amount along with statutory benefits proportionately without furnishing security. The remaining amount shall be deposited in a nationalised bank in an interest bearing account initially for a period of one year with a provision for automatic renewal once in a year.

4. The Miscellaneous Petitions are disposed of with the above direction.

-sd/-
12/10/2017
/ TRUE COPY /

Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE SUBORDINATE JUDGE
DHARMAPURI

+40 C.C. to Mr.S.C.VISHWANTH Advocate SR.No.13239 to 13279

+2 The Government Pleader, High Court, Madras - 104. SR.No.13352

Order

in
CMP Nos.14679 to 14709 of 2017

IN
AS.Nos.423 to 453 of 2017

Date :12/10/2017

From 26.2.2001 the Registry is issuing certified
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VC (13/10/2017)