

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 24.08.2017

Coram:

The Honourable Mr.Justice R.SUBRAMANIAN

A.S.No.905 of 2012
& M.P.No.1 of 2012

The Special Tahsildar (LA),
Sipcot, Hosur, .. Appellant/1st Respondent

Vs.

1.H.V.Bairappa ...1st Respondent/Claimant

2.The Special Officer,
Sipcot Limited,
Hosur. ...2nd Respondents/2nd Respondent

First Appeal is filed under Section 54 of the Land Acquisition Act against the Judgment and decree made in LAOP No.7 of 2010 dated 28.02.2011 on the file of Subordinate Judge, Hosur.

For Appellant : Mr.R.Gunasekaran,
Additional Government Pleader (AS)

For respondents : Mr.V.Raghavachari for R1

JUDGMENT

This appeal has been filed by the Special Tahsildar, Land Acquisition, Sipcot, Hosur, challenging the award of the trial Court, viz., Sub Court, Hosur, made in L.A.O.P.No.7 of 2010 dated 28.02.2011.

2.The lands in question were acquired for formation of SIPCOT at Hosur and the award came to be passed on 16.03.2007 granting compensation of Rs.1,23,500/- per hectare. The land owners being dissatisfied with the amount awarded, sought for a reference under Section 18 of the Land Acquisition Act. Upon reference, the learned Subordinate Judge, Hosur, enhanced the compensation to Rs.8,00,000/- per acre along with all statutory benefits. It is this award that is challenged by the Special Tahsildar in this appeal.

3. The Government, by Notification dated 06.09.1995 made under Section 4(1) of the Land Acquisition Act, intended to acquire the land measuring an extent of 15.93.0 hectares in various survey numbers in Moranapalli Village, Hosur Taluk, for formation of the SIPCOT, Phase -II. Hosur, which resulted in reference under Section 18 of the Land Acquisition Act and consequent appeals before this Court. Batch of appeals came to be dismissed by this Court in A.S.Nos.429 to 442 of 2008 on 05.08.2010, confirming the judgment of the trial Judge, granting compensation of Rs.8 lakhs per acre. As against the said judgment, the Government had filed the Special Leave Petitions (Civil) Nos.13206 to 13251 of 2011, which were also dismissed. Taking note of the said dismissal of the SLPs, a Division Bench of this Court in A.S.Nos.345 to 353 of 2012 dated 02.06.2017 dismissed those appeals holding that the question involved was covered by the decision of this Court in A.S.Nos.429 to 442 of 2008 etc.

4. In view of the above, nothing survives for adjudication in this appeal and the appeal stands dismissed, confirming the award passed by the Sub Judge, Hosur. There will be no order as to costs. Consequently, connected miscellaneous petition is also dismissed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

raa

To

1.The Special Tahsildar (LA),
Sipcot, Hosur.

2.The Sub Judge,
Hosur.

+1cc to M/S.V.Raghavachari, Advocate Sr. 61403

A.S.No.905 of 2012

MP (CO)
VR(30/10/2017)