

A.S No. : 1130/2015
LAOP No.(CUD) : 219/2013



LOK ADALAT

(ORGANIZED BY THE STATE LEGAL SERVICES COMMITTEE, CHENNAI)
(Under Sec. 19 of the Legal Services Authorities Act (Act 39 of 1987))

DATED: 30.10.2018

LOK ADALAT MEMBERS PRESENT

1. THE HON'BLE MR.JUSTICE S.K.KRISHNAN (Retd.)
2. MR.R.JAYA RATCHAKAN
3. MR.BALUSEKAR

A.S No. 1130/2015, on the file of High Court, Madras against LAOP No.219/2013, on the file of Special Sub Court (LAOP Cases), Cuddalore

Gunasekaran s/o Rajavel .. 1st Respondent/Claimant in LAOP

Vs.

1. Special Tahsildar (LA) No.3
Neyveli

..2nd Respondent/1st Respondent

2. Neyveli Lignite Corporation Limited,
(presently known as M/s NLC India Ltd.,)
represented by its Secretary, Neyveli-607 801

.. Appellant/2nd Respondent

This cause is referred to the Madras High Court Lok Adalat organized by the State Legal Services Committee, Chennai under Section 19 of the Legal Services Authorities Act (Act 39 of 1987), for settlement of the dispute between the parties, being the subject matter of this cause, in the presence of the parties, and after a full and frank discussion of all the issues both factual and legal arising from the cause, the parties having consciously agreed before us that there shall be an Award / Order/ Decree in terms of settlement hereto made and the parties having, in acceptance of the same, signed this settlement in our presence, it is decreed / ordered.

Lok Adalat /HC/2018 A.S.No: 1130/2015, on the file of the High Court, Madras against the award dated 29.06.2015 of the Special Sub Court for LAOP cases, Cuddalore made in LAOP No: 219/2013.

1. The details of lands involved in this case and the compensation paid by the Land Acquisition Officer (LAO) are tabulated below.

Award No.3/99 dt.20/08/1999

Village: PERIYAKURICHI.

Survey No.	Extent (Hect.)	Rate awarded per Hect.	Land value	30% Solatium	12% Addl.amt	Compensation paid by LAO
in Rupees						
221/4	0.020242	128934	2610.00	782.96	799.70	4192.00

2. The Claimant has voluntarily claimed a lumpsum compensation (inclusive of all claims) of Rs.50,63,500/- per Hectares (that is Rs.20,500/- per Cent) and the requisitioning body/beneficiary, namely, NLC India Ltd., (formerly Neyveli Lignite Corporation Ltd.,) has also accepted to pay the aforesaid lumpsum compensation after deducting the total compensation (for land portion only) received from the LAO. As a result, it is unequivocally agreed between the parties that after deducting the sums already received from LAO detailed in Para - 1 above, the Claimant is entitled and agreed to receive Rs.98303.00 as full and final settlement of all claims as detailed below:

A)	Total Lumpsum compensation as per mutually agreed rate of Rs.20,500/-per cent. (0.020242X2.47X 100 X 20500)	Rs.	102495.00
B)	Amount awarded by Land Acquisition Officer (Excluding the Compensation paid by LAO towards structure, Well etc.)	Rs.	4192.00
C)	Amount now payable to the Claimant (A-B)	Rs.	98303.00

3. The Claimant is voluntarily and unequivocally agreeing to receive the said amount of Rs.98303.00 as full and final settlement and in total satisfaction of all his/her/their claims in the Award passed in the above LAOP for 0.050 Acre of lands acquired for NLC (presently NLC India Ltd.,) comprised in survey number(s) 221/4 at Periyakurichi Village and the Claimant hereby relinquishes/waives all his claims based on the Award passed in the above LAOP; consciously agrees and declares that the Claimant shall not be entitled to or file any further claims in future in respect of the same or file appeal or challenge in any Court of law, against this Lok Adalat decree on any ground. The lumpsum rate agreed between the parties for these acquired lands and paid under this compromise by NLC is taking

into consideration the special circumstances of the cases and it shall not be taken as precedent under any circumstances for any of the settled cases hereinbefore.

4. In view of the above conscious settlement arrived at between the parties, the Lok Adalat hereby declare and decree as under:-

- a. A sum of Rs.98303.00 (Rupees NINETY EIGHT THOUSAND THREE HUNDRED AND THREE ONLY only) shall be paid to the Claimant towards Full and Final settlement of all claims of the claimant and the Claimant is not entitled to any further amount in future besides the above, under any circumstances.
- b. There shall be no further proceedings in A.S.No.1130/2015 on the file of High Court, Madras and the same may be disposed of recording the settlement arrived at between the parties by this Lok Adalat Decree.

The Award is passed accordingly.

No Order as to Cost.

Sd/-
Claimant(s)

Sd/-
Special Tahsildar (LA)
Neyveli

Sd/-
for NLC India Ltd.,
Neyveli

Sd/-
Party-in-person

Sd/-
Counsel
for NLC India Ltd., Neyveli

- I. In view of the compromise arrived at between the parties, the Award is passed accordingly. No Order as to Cost.
- II. The Registry is directed to forward a copy of the draftable Order to the Secretary, State Legal Services Committee, Chennai, for record purpose.

Sd/-
JUDGE

Sd/-
MEMBER-1

Sd/-
MEMBER-2

This Lok Adalat award is passed in terms of the above settlement.

The full Court fee paid shall be refunded to the appellant in the manner provided under Section 69-A of the Tamil Nadu Court Fee and Suits Valuation Act, 1995 and the Court Fees Act, 1870 as provided under Sub Sce.1 of Section 21 r/w 25 of LSA Act 1987 as amended in 1994

FULL AND FINAL SATISFACTION MEMO / RECEIPT

Received Rs.98303.00 (Rupees NINETY EIGHT THOUSAND THREE HUNDRED AND THREE ONLY only) from M/s NLC India Ltd., Neyveli by way of Cheque no.058354 dated 30/10/2018 drawn on Indian Bank, Neyveli towards the full and final satisfaction of the Judgement and Decree (Award) passed by the Special Sub-Court for LAOP Cases, Cuddalore in LAOP No.219/2013 which is under challenge in A.S No.1130/2015 at the instance of M/s NLC India Limited and witnessed by the Lok Adalat Honorable Chairperson and the members.

Sd/-
Claimant (s)

Sd/-
JUDGE

Sd/-
MEMBER-1

Sd/-
MEMBER-2

Sd/-
Assistant Registrar(L.A)

//True Copy//

Sub Assistant Registrar

drl

To:
The Parties/Advocate concerned

Copy to:

- 1.The Special Sub Court (LAOP cases), Cuddalore.
- 2.The Secretary, High Court Legal Services Committee, Chennai.
- 3.The Section Officer, V.R Section, High Court, Madras.
- 4.The Section Officer, Lok Adalat Section, High Court, Madras. +2 copies.

WEB COPY

A.S.No.1130 of 2015

SVN (CO)

CS/07/02/2019