



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Monday, the Twenty Sixth day of March Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice S.S.SUNDAR

CMP(MD) No.11364 of 2017

IN

AS(MD) No.199 of 2017

THE SPECIAL TAHSILDAR,
(LAND ACQUISITION),
RADHAPURAM.

... PETITIONER / APPELLANT

Vs

1 INDIRAMMAL
2 JEYAKALYANI
3 ATHIKARI
4 DEIVANAYAGI

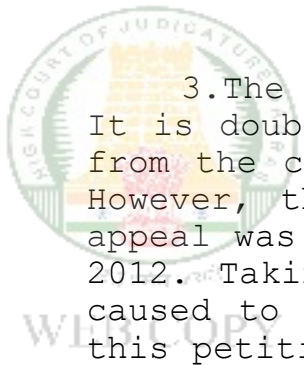
... RESPONDENTS / CLAIMANTS

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.204/1994 dated 23/10/2003 on the file of the Land Acquisition Claims Tribunal / Principal Sub-Judge, Tirunelveli pending disposal of the above appeal.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.A.THIYAGARAJAN, Government Advocate for the petitioner and of on behalf of the Respondents, the court made the following order:-

This petition has been filed to stay the execution of the decree passed in LAOP No.204 of 1994 dated 23.10.2003 on the file of the Land Acquisition Claims Tribunal / Principal Sub-Judge, Tirunelveli, pending disposal of the above appeal.

2.It appears that the lands were acquired in the year 1981 and the award was passed in the year 1983. An extent of 4.68 acres of lands were acquired for the purpose of skylark project for installation of a Naval Base. The Special Tahsildar, Land Acquisition, Nanguneri, has fixed compensation at Rs.400/- (Rupees Four Hundred only) per acre. However this award was enhanced by the Land Acquisition Claims Tribunal / Principal Subordinate Judge, Tirunelveli, at the instance of the respondents from Rs.400/- to Rs.5,000/- (Rupees Five Thousand) per acre. Challenging the said judgment and decree, which was passed by the reference Court under Section 18 of the Land Acquisition Act, the above appeal has been filed.



3.The lands are located near the National Highways, Nanguneri. It is doubtful, whether, the respondents will get one cent of land from the compensation amount, which is now awarded in this appeal. However, there is an inordinate delay at every stage. Though this appeal was filed in the year 2004, it has been numbered in the year 2012. Taking into consideration the damage, that had already been caused to the respondent, this Court finds no reason to entertain this petition at this length of time. As a result, this petition is dismissed.

sd/-
26/03/2018

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

THE LAND ACQUISITION CLAIMS TRIBUNAL /
PRINCIPAL SUBORDINATE JUDGE,
TIRUNELVELI

cmr
JAM/28/03/2018/ CM-VR / SAR 1/ 2p-2c

ORDER
IN
CMP (MD) No.11364 of 2017
IN
AS (MD) No.199 of 2017
Date :26/03/2018