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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Tuesday. The Twentieth day of March, Two Thousand and Eighteen

PRESENT

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

S.A.(MD)No.84 of 2018

The Special Tahsildar (LA),
Adi Dravidar Welfare,
Tamaraikulam,
Periyakulam,
Vaigai District. ...Appellant/Respondent/Referring Officer

-Vs-

1.S.Nagammal
2.S.Murugan
3.S.Chinraj
4.C.Lakshmanan
5.K.Rajendran
6.K.Kumar
7.S.Palanisamy
8.S.Kandasamy ...Respondents / Appellants / Claimants

PRAYER: Second Appeal is filed under Section 13 of the Tamilnadu Acquisition of Land for Harijan Welfare Scheme Act (Act 31/1978) r/w Section 100 of the Civil Procedure Code, against the judgment and decree dated 02.04.2007 made in L.A.C.M.A.No.06 of 1997 on the file of the Suborindate Judge, Periyakulam, which was filed against the Award No.11/95-96, dated 26.03.1996 by the Special Tahsildar, ADW, Periyakulam.

DECREE: This Second Appeal is coming on for hearing on this day and upon perusing the grounds of Appeal, the Judgment and Decree of the Lower Appellate Court and the Award passed by the Special Tahsildar, ADW, Periyakulam and upon hearing the arguments of Mr.A.Thiyagarajan, Government Advocate on behalf of the Appellant and of not appearing in person or through Counsel for the respondents, while partly allowing the Second Appeal this Court doth order and decree as follows:

(i)that the Judgment and decree dated 02.04.2007 and made in L.A.C.M.A.No.06 of 1997 on the file of the Subordinate Judge, Periyakulam be and hereby is modified by directing the appellant to pay solatium at 15% on the market value and interest at 6% from the date of taking possession till the actual payment is made by the appellant;

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(ii)that there be no order as to costs in this Second Appeal.

Sd/-
Assistant Registrar(C.O.)

/True Copy/

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Sub Assistant Registrar

To
1.The Suborindate Judge, Periyakulam,
2.The Special Tahsildar (LA), Adi Dravidar Welfare, Tamaraikulam, Periyakulam, Vaigai District.

Copy to:
The Section Officer,
Vernacular Records,
Madurai Bench of Madras High Court,
Madurai(2 Copies)

DATED : 20/03/2018

DECREE

S.A.(MD)No.84 of 2018

Partly Allowing the Second Appeal against the Judgment and decree dated 02.04.2007 and made in L.A.C.M.A.No.06 of 1997 on the file of the Subordinate Judge, Periyakulam, etc., as stated within.

AM/JC/SAR 1/31.05.2018/2P/5C

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