



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.07.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

C.R.P. (MD) No.1435 of 2018

Thambi Raj .. Petitioner/Appellant 1
Vs.
State of Tamil Nadu represented by
1. The District Collector,
Kanyakumari District at Nagercoil.
2. The Special District Revenue Officer (LA-NH),
Tirunelveli District,
Tirunelveli.
3. The Special Tahsildhar Cum Authorized Officer (LA)
Nagercoil,
Kanyakumari District. ..Respondents 1 to 3/
Respondents 1 to 3
4. S. Suseela Bai
5. Shunmughavel
represented by the power of attorney holder
N. Thambi Raj. .. Respondents 4 & 5/
Appellants 2 & 3

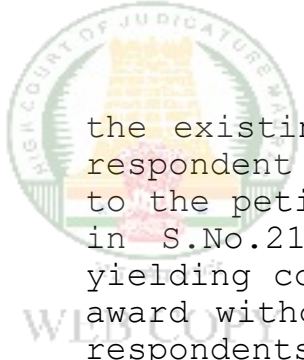
PRAYER: Petition filed under Article 227 of the Constitution of India, to direct the learned Principal Subordinate Judge, Nagercoil to dispose the land acquisition appeal in L.A.A. No.1 of 2014, within the time stipulated by this Court.

For Petitioner : Mr.N.S.Ramakrishna Dass
For Respondents : M/s.VPM.Vaishnavi
1 to 3 Government Advocate

ORDER

This Civil Revision Petition has been filed seeking a direction to the learned Principal Subordinate Judge, Nagercoil to dispose the land acquisition appeal in L.A.A. No.1 of 2014, within the time stipulated by this Court.

2. The revision petitioner is the first appellant and the respondents-1 to 3 are the respondents and the respondents-4 & 5 are the appellants-2 & 3. The appellants have filed a land acquisition appeal in L.A.A. No.1 of 2014 before the learned Principal Subordinate Judge, Nagercoil seeking to allow the appeal for enhancement of compensation Rs.11,08,300/- (Rupees Eleven Lakhs Eight Thousand Three Hundred Only) along with the balance amount as per



the existing market value. He would further submit that the second respondent has passed an award amount which is very low compensation to the petitioner. The respondents-4 & 5 are the owner of the lands in S.No.21/5, 6, 8 & 9 in 2650 sq.meter land and 60 grown up yielding coconut trees therein. The second respondent has passed an award without considering the market value. The petitioner and the respondents-4 & 5 are taken the yield from their land and the Government acquired the said land, now the petitioner has no income. It is stated that the appeal in L.A.A. No.1 of 2014 is filed in the year 2014 and the matter has been prolonged for a long time without any progress and that a direction may be given by this Court for an early disposal, in the interest of justice.

3. Heard the learned Counsel for the petitioner and perused the materials available on record.

4. A perusal of the 'B' Diary extract would fortify the contentions made by the learned counsel for the petitioner.

5. The case has been adjourned on several occasions without any valid reason.

6. Therefore, this Court, without going into the merits of the allegation raised by the revision petitioner, is inclined to direct the Court below to dispose of the appeal in L.A.A. No.1 of 2014, within the stipulated period.

7. In view of the above, the learned Principal Subordinate Judge, Nagercoil is directed to dispose of the appeal in L.A.A. No.1 of 2014, on merits and in accordance with law, within the period of four months, from the date of receipt of a copy of this order, after issuing notice to both the parties.

8. The Civil Revision Petition is ordered accordingly. No costs.

Sd/-
Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar(CS-IV)

To
The Principal Subordinate Judge,
Nagercoil.

KSA
RJ/SKN/RSK/SAR-IV/27/07/2018 - 3P/2C

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