



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.10.2018

CORAM:

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

C.R.P (MD) Nos.1085 to 1089 of 2011

Pandiaraj

...Petitioner/Petitioner/10th claimant
C.R.P. (MD) No.1085/2011

Rukmani

...Petitioner/Petitioner/17th claimant
C.R.P. (MD) No.1086/2011

Rukmani

...Petitioner/Petitioner/15th claimant
C.R.P. (MD) No.1087/2011

Seeniammal

...Petitioner/Petitioner/14th claimant
C.R.P. (MD) No.1088/2011

Balammal (died)

1.G.Kiliammal

2.Kanniammal

3.Kulli Chetty

(cause title accepted

vide order dated 08.06.2011

made in M.P. (MD) No.1/2011 in CRP (MD) No.18761/11)

...Petitioners/Petitioners/19 to 21 claimants

Vs.

The Special Tahsildar
(Land Acquisition),
Adi Dravidar Welfare,
Theni.

... Respondent/Respondent/Referring Officer
in all the CRPs.

COMMON PRAYER: Civil Revision Petitions are filed, under Section 115 of Civil Procedure Code, to set aside the order dated 06.12.2010 passed in E.A.Nos.111, 113, 114, 115 and 116 of 2010 in E.P.Nos.73, 75, 76, 77 and 78 of 2008 in L.A.O.P.No.15 of 1984 by the learned Sub Judge, Theni.



For Petitioners in
all the CRPs : No Appearance
For Respondent in
all the CRPs : Mr.M.Karuppasamy
Government Advocate

WEB COPY

C O M M O N O R D E R

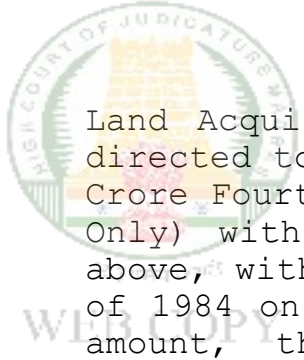
These Civil Revision Petitions have been filed against the order dated 06.12.2010 passed in E.A.Nos.111, 113, 114, 115 and 116 of 2010 in E.P.Nos.73, 75, 76, 77 and 78 of 2008 in L.A.O.P.No.15 of 1984 by the learned Sub Judge, Theni.

2.When the matter came up for hearing on 29.09.2018, there was no representation on behalf of the petitioners and at request of the Government Advocate, the matters were directed to be listed on 08.10.2018. Thereafter, when the matters were listed on 08.10.2018, as there was no representation on behalf of the petitioners, the matters were directed to be listed on 09.10.2018 under the caption 'for dismissal'. On 09.10.2018, the learned counsel for the petitioners appeared and requested to remove the caption and hence, the caption was removed and the matters were again directed to be listed on 10.10.2018. Thereafter, as there was no representation on behalf of the petitioners on 10.10.2018, again the matters were listed on 22.10.2018 under the caption 'for dismissal'. Even today, there is no appearance on behalf of the petitioners, which shows that the petitioners are not interested in prosecuting these matters.

3.In the above circumstances, while this Court is inclined to dismiss these matter, the learned Government Advocate appearing for the respondent fairly filed his common calculation memo in all the five matters. He would further submit that they have already submitted a proposal to the Government on 06.05.2016 for a sum of Rs.1,40,72,197/- (Rupees One Crore Fourty Lakhs Seventy Two Thousand One Hundred and Ninety Seven Only) and that they are awaiting for the approval from the Government. Therefore, he seeks three months time to get appropriate approval and deposit the said amount before the lower Court. However, no calculation memo is filed for the interest from 06.05.2016 to till today. The learned Government Advocate would fairly submitted that necessary interest will paid as on today from the date of proposal to till date at the rate of 15%.

4.The learned Government Advocate appearing for the petitioner has given an undertaking that the respondent will deposit the entire amount along with interest within a period of three months, on the basis of the calculation memo and pleaded to accept the memo of calculation and to pass appropriate orders.

5.Under these circumstances, recording the calculation memo filed by the respondent in all these matters, this Court directs the respondent to calculate the interest as on today from 06.05.2016 to 23.10.2018 as applicable in terms of Provisions of Section 34 of the



Land Acquisition Act, at the rate of 15%. The respondent is also directed to deposit the said amount of Rs.1,40,72,197/- (Rupees One Crore Fourty Lakhs Seventy Two Thousand One Hundred and Ninety Seven Only) within a period of three months and the interest as stated above, within a period of three months to the credit of LAOP No.15 of 1984 on the file of Sub Court, Theni. After the deposit of such amount, the respondent Government is directed to inform the petitioners/claimants by way of RPAD.

6.Since the respondent/Government is agreed to deposit the compensation amount as per calculation memo with interest, there is no need for any further adjudication in these Civil Revision Petitions.

7.Therefore, with the above direction, these civil revision petitions are disposed of. The calculation memo, dated 06.05.2016, shall form part of this order. No costs.

8.This Court would like to place on record its appreciation to the learned Government Advocate Mr.M.Karuppasamy on rendering his co-operation to this Court in disposing of these long pending matters.

9.Post the matter on 01.02.2019 for reporting compliance.

Sd/-
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar(CS-I)

Encl: Xerox copy of Calculation Memo.
To

The Subordinate Judge,
The Subordinate Court, Theni.

Copy To:

The Section Officer,
Judicial Department,
Madurai Bench of Madras High Court,
Madurai.

+1 cc to Special Government Pleader,
SR.Nos.91421,91422,91423,91424,91425.

Rj2
DS SV SAR1 10 2018 3P 4C

Order made in
C.R.P (MD) Nos.1085 to 1089 of 2011