



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.10.2018

CORAM :

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

C.R.P. (PD) (MD) No.919 of 2011

and

M.P. (MD) No.1 of 2011

The District Collector, Dindigul
The Land Acquisition officer
and now The Revenue Divisional Officer,
Palani. :Petitioner/Respondent

vs.

1.Saraswathi
2.Palaniappan
3.Valliammai
4.Mangaiyarkarasi
5.Meenakshi
6.Thiyagarajan :Respondents/Petitioners

PRAYER: Civil Revision Petition is filed Under Article 227 of Constitution of India, against the Judgement and decree dated 21.10.2010 made in E.P.No.69 of 2007 in LAOP.No.73/1974 on the file of Sub Court, Palani.

For Petitioner : Mr.M.Karuppasamy,
Government Advocate

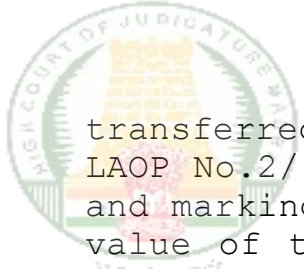
For Respondents : Mr.R.Gunasekar
for M/s.Sarvabhauman Associates

ORDER

This Civil Revision Petition is filed against the Judgement and decree, dated 21.10.2010 made in E.P.No.69 of 2007 in LAOP.No.73/1974 on the file of Sub Court, Palani.

2.Heard the learned Government Advocate appearing for the petitioner and the learned counsel appearing for the respondents.

3.The case of the claimants is that the petitioner herein acquired their land measuring 310 sq.ft in T.S.No.773 and 1 Acre 920 Sq.ft. in T.S.No.774/1 (Part) (totalling 1 Acre 1230 Sq.ft) at Sivagiripatti Village for the formation of State Transport Corporation Depot and passed award No.3/71, dated 30.10.1971 at the rate of Rs.741.20/- per cent. As the respondents/land owners/claimants raised objections regarding compensation, the matter was placed before the Reference Court i.e. Additional Sub Court, Dindigul, as LAOP No.73 of 1974 and subsequently, it was



transferred to the file of Sub Court, Palani and re-numbered as LAOP No.2/96. The Sub Court, Palani, after examining the witnesses and marking the documents on both sides, has determined the market value of the acquired land at Rs.3,409.50/- per cent and awarded compensation on that basis. Being aggrieved over the said award passed by the learned Sub Judge, Palani, the petitioner/State has filed the present Civil Revision Petition.

4.Today, the learned Government Advocate appearing for the petitioner/State filed a calculation memo, dated 26.09.2018 showing that the petitioner is liable to pay a sum of Rs.32,75,894/- along with interest as on 31.10.2018. He would submit that after the award passed in LAOP, the petitioner deposited a sum of Rs.7,33,000/- on 19.12.2005. Therefore, the balance to be payable by the petitioner is Rs.25,42,894/-.

5.The learned Government Advocate appearing for the petitioner has also given an undertaking that the petitioner will deposit the entire amount 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.

6.Recording the calculation memo filed by the petitioner; the statement of the learned counsel for the petitioner, the petitioner is directed to deposit the entire amount in LAOP.No.73/1974 on the file of the Sub Court, Palani, on or before 10.01.2019 and inform the respondents with regard to the deposit.

7.Since the revision petitioner agreed to deposit the compensation amount as per calculation memo with interest, there is no need for any further adjudication in this Civil Revision Petition.

8.Therefore, with the above direction, this civil revision petition is disposed of. The said calculation memo, shall form part of this order. No costs. Consequently, connected Miscellaneous Petition is closed.

9.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 this long pending matter.

10.Post the matter on 11.01.2019 for reporting compliance.

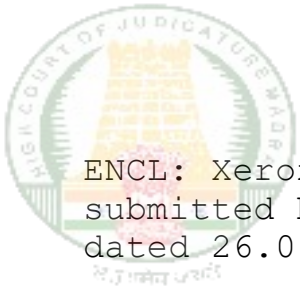
Sd/-

Assistant Registrar(CO)

/True Copy/

<https://hcservices.ecourts.gov.in/hcservices/>

Sub Assistant Registrar(CS-II)



ENCL: Xerox copy of Calculation Memo
submitted by Sub Collector Palani
dated 26.09.2018

WEB COPY
To

- 1.The Sub Judge, Palani.
- 2.The District Collector, Dindigul
The Land Acquisition officer
and now The Revenue Divisional Officer,
Palani.
3. The Record Keeper, V.R.Section, (2 copies)
Madurai Bench of Madras High Court,
Madurai.

Copy to

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

+1cc to M/s.Sarvabhauman Associates, Sr.No.89994
+1cc to Spl.Government Pleader Sr.No.90235

RJ2

VB/RP/SAR2/01.11.2018/3P/8C

C.R.P. (PD) (MD) No.919 of 2011
10.10.2018