

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.04.2019

CORAM

THE HON'BLE MR. JUSTICE N.SATHISHKUMAR

CRP.(NPD).No.2532 of 2010 and
M.P.No.1 of 2010

The Special Tahsildar,
(Adi Dravida Welfare),
Vandavasi.

... Petitioner

Vs.

Jayachandran

... Respondent

PRAYER: The Civil Revision Petition is filed under Section 13 of the Tamil Nadu Acquisition of Land for ADW Schemes Act 31/78 r/w Section 115 of C.P.C., against the judgment and decree made in C.M.A.No.14 of 2000 dated 20.02.2003 on the file of the Sub Court, Cheyyar, Tiruvannamalai District, modifying the award made in Award No.5/96-97 dated 26.03.1997, passed by the Special Tahsildar (Adhi Dravidar Welfare) Vandavasi.

For petitioner : Mr.N.Manikandan,
Government Advocate (CS)
For respondent : Mr.R.Narashimakannan for
M/s.APR Associates

ORDER

This revision is filed as against the order of the Reference Court made in C.M.A.No.14 of 2000 dated 20.02.2003, enhancing the compensation from Rs.200/- per cent to Rs.1000/-per cent.

2. The land in question was acquired by the revision petitioner at the rate of Rs.200/- per cent and the compensation was fixed at Rs.46,920/-. The same was objected by the respondent and thereafter, a reference was made before the Sub-Court, cheyyar. The Reference Court examined the witnesses and also marked Ex.P1 to Ex.P9 and D.W.1 to D.W.10 and fixed compensation at the rate of Rs.1000/- per cent. As against which, the present revision petition is filed.

3. On perusal of the entire judgment of the Trial Court, the Trial Court has considered the location of the land acquired and also taken note of the sale deed relating to the year 1990 and fixed the compensation as Rs.1000/- per cent. Though the respondent has claimed Rs.3000/- per cent, the Reference Court, considering the entire evidence viz., oral as well as documentary evidence, particularly, the sale deed filed on the side of the respondent, had fixed Rs.1000/- per cent as compensation. In fact, the Reference Court has factually arrived at the finding on the basis of the

registered documents prior to the acquisition.

4. In view of the above, I do not find any illegality in the order passed by the Trial Court. Hence, the revision petition lacks merits and the same is dismissed. The revision petitioner is directed to deposit the amount with interest as awarded by the Reference Court, within a period of one month from the date of receipt of a copy of this order.

5. In the result, the **Civil Revision Petition** is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

08.04.2019

Speaking / Non Speaking order
Index :Yes/No
Internet :Yes/No
gsk

To

The Sub Court,
Cheyyar,
Tiruvannamalai District.

सत्यमेव जयते

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N.SATHISHKUMAR.J,

gsk



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