



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE M.M. SUNDRESH  
AND  
THE HONOURABLE MR. JUSTICE C.SARAVANAN

A.S Nos. 103 of 2018, 277, 391 to 416,  
420 to 422, 567 to 571, 630 to 671 of 2017

THE DISTRICT REVENUE OFFICER - CUM-  
LAND ACQUISITION OFFICER,  
VELLORE DISTRICT.

... APPELLANT IN ALL APPEALS/  
REFERRING OFFICER

VS.

1. KUMARESAN  
2. ASOKAN  
3. UVARAJ

... Respondent(s) in A.S.NO.103 of 2018/  
Claimants IN L.A.O.P. 54/2014.

1 KASIAMMAL  
2 SASIKALA

... Respondent(s) in A.S.NO.277 of 2017/  
Claimants IN L.A.O.P. 81/2015

1 SELVARAJ

... Respondent(s) in A.S.NO.391 of 2017/  
Claimants IN L.A.O.P. 31/2014

1 ANANTHAVELAN  
2 KARTHIKEYAN

... Respondent(s) in A.S.NO.392 of 2017/  
Claimants IN L.A.O.P. 32/2014

1 CHINNAMOONJI

... Respondent(s) in A.S.NO.393 of 2017/  
Claimants IN L.A.O.P. 33/2014

1 MARUTHACHALAM  
2 SAMUDI

... Respondent(s) in A.S.NO.394 of 2017/  
Claimants IN L.A.O.P. 34/2014

1 JEYARAJ  
2 ELUSABATH

... Respondent(s) in A.S.NO.395 of 2017/  
Claimants IN L.A.O.P. 36/2014

1 KUDIYAKKAL  
2 RAJALAKSHMI  
3 LINGESHWARAN  
4 LOGESAN  
5 MAYAKESAVAN



6 BOOPATHY  
7 KUBENDRAN

1 VELU

1 BALARAMAN

1 LILLY DEVIT

1 BADHRI NATHAN

1 ARUMUGAM

1 APPUNU

1 UVARAJ

1 DHANALAKSHMI

1 USHARANI

1 SELVARANI

SUBRAMANILPPAL (DIED)

1 MURUGAMMAL

2 KRISHNAMOORTHY

3 SELVAM

4 GEETHA

1 APPUNU

2 RAJI

1 UMA PATHY

... Respondent(s) in A.S.NO.396 of 2017/  
Claimants IN L.A.O.P. 37/2014

... Respondent(s) in A.S.NO.397 of 2017/  
Claimants IN L.A.O.P. 38/2014

... Respondent(s) in A.S.NO.398 of 2017/  
Claimants IN L.A.O.P. 40/2014

... Respondent(s) in A.S.NO.399 of 2017/  
Claimants IN L.A.O.P. 41/2014

... Respondent(s) in A.S.NO.400 of 2017/  
Claimants IN L.A.O.P. 42/2014

... Respondent(s) in A.S.NO.401 of 2017/  
Claimants IN L.A.O.P. 44/2014

... Respondent(s) in A.S.NO.402 of 2017/  
Claimants IN L.A.O.P. 45/2014

... Respondent(s) in A.S.NO.403 of 2017/  
Claimants IN L.A.O.P. 46/2014

... Respondent(s) in A.S.NO.404 of 2017/  
Claimants IN L.A.O.P. 47/2014

... Respondent(s) in A.S.NO.405 of 2017/  
Claimants IN L.A.O.P. 48/2014

... Respondent(s) in A.S.NO.406 of 2017/  
Claimants IN L.A.O.P. 49/2014

... Respondent(s) in A.S.NO.407 of 2017/  
Claimants IN L.A.O.P. 50/2014

... Respondent(s) in A.S.NO.408 of 2017/  
Claimants IN L.A.O.P. 51/2014

... Respondent(s) in A.S.NO.409 of 2017/  
Claimants IN L.A.O.P. 53/2014



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1 LOKANATHAN

... Respondent(s) in A.S.NO.410 of 2017/  
Claimants IN L.A.O.P. 55/2014

1 SURENTHIRAKUMAR

... Respondent(s) in A.S.NO.411 of 2017/  
Claimants IN L.A.O.P. 56/2014

1 KUMARESAN

2 ASHOGAN

3 UVARAJ

... Respondent(s) in A.S.NO.412 of 2017/  
Claimants IN L.A.O.P. 58/2014

1 ARUNAGIRI

... Respondent(s) in A.S.NO.413 of 2017/  
Claimants IN L.A.O.P. 59/2014

1 KANNAIYAN

... Respondent(s) in A.S.NO.414 of 2017/  
Claimants IN L.A.O.P. 60/2014

1 UVARAJ

... Respondent(s) in A.S.NO.415 of 2017/  
Claimants IN L.A.O.P. 61/2014

1 SHANMUGAM

2 BRINDAVANAM

... Respondent(s) in A.S.NO.416 of 2017/  
Claimants IN L.A.O.P. 62/2014

1 SUBRAMANI

... Respondent(s) in A.S.NO.420 of 2017/  
Claimants IN L.A.O.P. 70/2015

1 KUMARESAN

... Respondent(s) in A.S.NO.421 of 2017/  
Claimants IN L.A.O.P. 79/2015

1 ELLAMMAL

... Respondent(s) in A.S.NO.422 of 2017/  
Claimants IN L.A.O.P. 80/2015

1 SHANMUGAM

2 INDRA

... Respondent(s) in A.S.NO.567 of 2017/  
Claimants IN L.A.O.P. 39/2014

1 VENKATESAN

2 RADHAMMAL

... Respondent(s) in A.S.NO.568 of 2017/  
Claimants IN L.A.O.P. 35/2014

1 RAJEWARI

... Respondent(s) in A.S.NO.569 of 2017/  
Claimants IN L.A.O.P. 43/2014



1 GOVINDI  
2 AMUDHA  
3 ANITHA  
4 ANURADHA  
5 JAYATHIRUMAL

... Respondent(s) in A.S.NO.570 of 2017/  
Claimants IN L.A.O.P. 52/2014

1 PADMAVATHIAMMAL

... Respondent(s) in A.S.NO.571 of 2017/  
Claimants IN L.A.O.P. 63/2014

1 V.SURENDIRA KUMAR

... Respondent(s) in A.S.NO.630 of 2017/  
Claimants IN L.A.O.P. 76/2015

1 N.JAGANNATHAN

... Respondent(s) in A.S.NO.631 of 2017/  
Claimants IN L.A.O.P. 57/2014

1 M. YUVARAJ

... Respondent(s) in A.S.NO.632 of 2017/  
Claimants IN L.A.O.P. 35/2015

1 C. SEENU

... Respondent(s) in A.S.NO.633 of 2017/  
Claimants IN L.A.O.P. 36/2015

1 S. VIJAYASAMUNDESWARI

... Respondent(s) in A.S.NO.634 of 2017/  
Claimants IN L.A.O.P. 37/2015

1 G. ASOKAN

... Respondent(s) in A.S.NO.635 of 2017/  
Claimants IN L.A.O.P.38/2015

1 JAYARAMAN

... Respondent(s) in A.S.NO.636 of 2017/  
Claimants IN L.A.O.P. 39/2015

1 P.PERUMAL

... Respondent(s) in A.S.NO.637 of 2017/  
Claimants IN L.A.O.P. 40/2015

1 R.JEEVANANDHAN

... Respondent(s) in A.S.NO.638 of 2017/  
Claimants IN L.A.O.P. 41/2015

1 P.ELLAMMAL

... Respondent(s) in A.S.NO.639 of 2017/  
Claimants IN L.A.O.P. 42/2015

1 A. PADMAVATHIAMMAL

... Respondent(s) in A.S.NO.640 of 2017/  
Claimants IN L.A.O.P.43/2015

1 M.SAMRAJ

... Respondent(s) in A.S.NO.641 of 2017/  
Claimants IN L.A.O.P. 44/2015



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1 R.SAMPATHKUMAR  
2 BHOPATHY

... Respondent(s) in A.S.NO.642 of 2017/  
Claimants IN L.A.O.P. 45/2015

1 SIVAGAMI  
2 SAMUDI

... Respondent(s) in A.S.NO.643 of 2017/  
Claimants IN L.A.O.P. 46/2015

1 GOURAMMAL  
2 MAHANDRAN  
3 SAYATH

... Respondent(s) in A.S.NO.644 of 2017/  
Claimants IN L.A.O.P.47/2015

1 PADMA  
2 KANAKAMMAL  
3 KOMATHI  
4 VIJAYALAKSHMI

... Respondent(s) in A.S.NO.645 of 2017/  
Claimants IN L.A.O.P. 48/2015

1 MANONMANI  
2 SIGAMANI  
3 GOVINDARAJ  
4 DURAISAMY  
5 MURUGAN

... Respondent(s) in A.S.NO.646 of 2017/  
Claimants IN L.A.O.P. 49/2015

1 GOURAMMAL  
2 SHANMUGAM  
3 JAGANATHAN  
4 THANGAVEL  
5 SHAIYATH  
6 VIJYALAKSHMI

... Respondent(s) in A.S.NO.647 of 2017/  
Claimants IN L.A.O.P. 50/2015

1 M. VELU  
2 CHINNATHAMPI  
3 SAROJA  
4 MANIKGAM  
5 ARIVAZHAN  
6 SELVI  
7 INTERNATIONAL MACHINERY REP  
BY ITS PRESIDENT THIRUPATHUR TALUK  
VELLORE DISTRICT

... Respondent(s) in A.S.NO.648 of 2017/  
Claimants IN L.A.O.P. 51/2015



1 C. SEENAN  
2 KRISHNAKUMAR  
3 SAMRAJ  
4 RAVISHANKAR  
5 SATHYAVANI  
6 THRUPATHY  
7 SRIIVASAN

... Respondent(s) in A.S.NO.649 of 2017/  
Claimants IN L.A.O.P. 52/2015.

1 M. VELU  
2 CHINNATHAMPI  
3 SAROJA  
4 MANIKAM  
5 ARIVAZHAN  
6 SELVI

... Respondent(s) in A.S.NO.650 of 2017/  
Claimants IN L.A.O.P. 53/2015

1 S. SEENAN

... Respondent(s) in A.S.NO.651 of 2017/  
Claimants IN L.A.O.P. 54/2015

1 M. SHANMUGAM

... Respondent(s) in A.S.NO.652 of 2017/  
Claimants IN L.A.O.P. 55/2015

1 A.CHINNATHAMBI  
2 SAROJA

... Respondent(s) in A.S.NO.653 of 2017/  
Claimants IN L.A.O.P.56/2015

1 KANNAIYAN  
2 RAGUPATHY  
3 VENUGOPAL  
4 KRISHNAN  
5 DHANDAPANI

... Respondent(s) in A.S.NO.654 of 2017/  
Claimants IN L.A.O.P. 57/2015

1 VENUGOPAL  
2 KRISHNAN  
3 KANNAN  
4 RAGUPATHY  
5 DHANDAPANI

... Respondent(s) in A.S.NO.655 of 2017/  
Claimants IN L.A.O.P. 58/2015

1 M. RADHA  
2 RADHA MEENA

... Respondent(s) in A.S.NO.656 of 2017/  
Claimants IN L.A.O.P. 59/2015

1 S. MANI  
2 RAJA

... Respondent(s) in A.S.NO.657 of 2017/  
Claimants IN L.A.O.P. 60/2015



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|   |                   |                                                                           |
|---|-------------------|---------------------------------------------------------------------------|
| 1 | K. RAJAMMAL       |                                                                           |
| 2 | CHANDRA           |                                                                           |
| 3 | KALAIMANI         |                                                                           |
| 4 | SENRAYAN          |                                                                           |
| 5 | BALACHANDRAN      |                                                                           |
| 6 | KRISHNAN          | ... Respondent(s) in A.S.NO.658 of 2017/<br>Claimants IN L.A.O.P. 61/2015 |
| 1 | K.THANGAVEL       | ... Respondent(s) in A.S.NO.659 of 2017/<br>Claimants IN L.A.O.P. 62/2015 |
| 1 | JAYARANI          |                                                                           |
| 2 | JAYANTHI          |                                                                           |
| 3 | ARIPRASANTHSHARMA |                                                                           |
| 4 | PRANEETH PUPATHY  |                                                                           |
| 5 | MAHANLAL          | ... Respondent(s) in A.S.NO.660 of 2017/<br>Claimants IN L.A.O.P. 63/2015 |
| 1 | C. KARNAN         |                                                                           |
| 2 | MANI              | ... Respondent(s) in A.S.NO.661 of 2017/<br>Claimants IN L.A.O.P. 64/2015 |
| 1 | S. SEENU          | ... Respondent(s) in A.S.NO.662 of 2017/<br>Claimants IN L.A.O.P. 65/2015 |
| 1 | P. RAJENDRAN      | ... Respondent(s) in A.S.NO.663 of 2017/<br>Claimants IN L.A.O.P. 66/2015 |
| 1 | CHANDRASEKARAN    | ... Respondent(s) in A.S.NO.664 of 2017/<br>Claimants IN L.A.O.P. 67/2015 |
| 1 | D. SUNDARAJAN     |                                                                           |
| 2 | A. SELVA MARY     |                                                                           |
| 3 | DEVARAJ           |                                                                           |
| 4 | MANGA             | ... Respondent(s) in A.S.NO.665 of 2017/<br>Claimants IN L.A.O.P. 68/2015 |
| 1 | C.VELU GOUNDER    | ... Respondent(s) in A.S.NO.666 of 2017/<br>Claimants IN L.A.O.P. 69/2015 |
| 1 | J.SURESH          | ... Respondent(s) in A.S.NO.667 of 2017/<br>Claimants IN L.A.O.P. 70/2015 |



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1 KISHANTH

... Respondent(s) in A.S.NO.668 of 2017/  
Claimants IN L.A.O.P. 71/2015

1 RAMNATH

... Respondent(s) in A.S.NO.669 of 2017/  
Claimants IN L.A.O.P.72/2015

1 T.GOVINDAMMAL  
2 VINAYAGAMOORTHY  
3 KUMARESAN  
4 RAMESH  
5 JAYAPRAKASH

... Respondent(s) in A.S.NO.670 of 2017/  
Claimants IN L.A.O.P. 74/2015

1 T.JAGANATHAN  
2 MURUGESAN  
3 ARUMUGAM  
4 VISHVANATHAN  
5 JANGI  
6 SELVAM  
7 KRISHNAN  
8 LAKSHMANAN  
9 RAJENDRAN  
10 GOPAL  
11 JAYARAMAN

... Respondent(s) in A.S.NO.671 of 2017/  
Claimants IN L.A.O.P.75/2015.

Common Prayer:

Appeal Suit Nos.

103 of 2018, 277 of 2017, 391 of 2017, 392 of 2017, 393 of 2017,  
394 of 2017, 395 of 2017, 396 of 2017, 397 of 2017, 398 of 2017,  
399 of 2017, 400 of 2017, 401 of 2017, 402 of 2017, 403 of 2017,  
404 of 2017, 405 of 2017, 406 of 2017, 407 of 2017, 408 of 2017,  
409 of 2017, 410 of 2017, 411 of 2017, 412 of 2017, 413 of 2017,  
414 of 2017, 415 of 2017, 416 of 2017, 420 of 2017, 421 of 2017,  
422 of 2017, 567 of 2017, 568 of 2017, 569 of 2017, 570 of 2017,  
571 of 2017, 630 of 2017, 631 of 2017, 632 of 2017, 633 of 2017,  
634 of 2017, 635 of 2017, 636 of 2017, 637 of 2017, 638 of 2017,  
639 of 2017, 640 of 2017, 641 of 2017, 642 of 2017, 643 of 2017,  
644 of 2017, 645 of 2017, 646 of 2017, 647 of 2017, 648 of 2017,  
649 of 2017, 650 of 2017, 651 of 2017, 652 of 2017, 653 of 2017,  
654 of 2017, 655 of 2017, 656 of 2017, 657 of 2017, 658 of 2017,  
659 of 2017, 660 of 2017, 661 of 2017, 662 of 2017, 663 of 2017,  
664 of 2017, 665 of 2017, 666 of 2017, 667 of 2017, 668 of 2017,  
669 of 2017, 670 of 2017, 671 of 2017

filed under Section 54 of the Land Acquisition Act, praying to  
set aside the decree passed in L.A.O.P. Nos. 54/2014, dated  
23.03.2015, 81 of 2015, dated 23.06.2015, 31 of 2014, dated



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16.03.2015, 32 of 2014 dated 16.03.2015, 33 of 2014 dated  
16.03.2015, 34 of 2014 dated 16.03.2015, 36 of 2014 dated  
16.03.2015, 37 of 2014 dated 16.03.2015, 38 of 2014 dated  
16.03.2015, 40 of 2014 dated 16.03.2015, 41 of 2014 dated  
16.03.2015, 42 of 2014 dated 16.03.2015, 44 of 2014 dated  
16.03.2015, 45 of 2014 dated 16.03.2015, 46 of 2014 dated  
16.03.2015, 47 of 2014 dated 16.03.2015, 48 of 2014 dated  
16.03.2015, 49 of 2014 dated 16.03.2015, 50 of 2014 dated  
16.03.2015, 51 of 2014 dated 16.03.2015, 53 of 2014 dated  
16.03.2015, 55 of 2014 dated 16.03.2015, 56 of 2014 dated  
16.03.2015, 58 of 2014 dated 16.03.2015, 59 of 2014 dated  
16.03.2015, 60 of 2014 dated 16.03.2015, 61 of 2014 dated  
16.03.2015, 62 of 2014 dated 16.03.2015, 78 of 2015 dated  
08.04.2015, 79 of 2015 dated 08.04.2015, 80 of 2015 dated  
08.04.2015, 39 of 2014 dated 26.02.2015, 35 of 2014 dated  
26.02.2015, 43 of 2014 dated 26.02.2015, 52 of 2014 dated  
26.02.2015, 63 of 2014 dated 26.02.2015, 76 of 2015 dated  
23.03.2015, 57 of 2014 dated 23.03.2015, 35 of 2015 dated  
23.03.2015, 36 of 2015 dated 23.03.2015, 37 of 2015 dated  
23.03.2015, 38 of 2015 dated 23.03.2015, 39 of 2015 dated  
23.03.2015, 40 of 2015 dated 23.03.2015, 41 of 2015 dated  
23.03.2015, 42 of 2015 dated 23.03.2015, 43 of 2015 dated  
23.03.2015, 44 of 2015 dated 23.03.2015, 45 of 2015 dated  
23.03.2015, 46 of 2015 dated 23.03.2015, 47 of 2015 dated  
23.03.2015, 48 of 2015 dated 23.03.2015, 49 of 2015 dated  
23.03.2015, 50 of 2015 dated 23.03.2015, 51 of 2015 dated  
23.03.2015, 52 of 2015 dated 23.03.2015, 53 of 2015 dated  
23.03.2015, 54 of 2015 dated 23.03.2015, 55 of 2015 dated  
23.03.2015, 56 of 2015 dated 23.03.2015, 57 of 2015 dated  
23.03.2015, 58 of 2015 dated 23.03.2015, 59 of 2015 dated  
23.03.2015, 60 of 2015 dated 23.03.2015, 61 of 2015 dated  
23.03.2015, 62 of 2015 dated 23.03.2015, 63 of 2015 dated  
23.03.2015, 64 of 2015 dated 23.03.2015, 65 of 2015 dated  
23.03.2015, 66 of 2015 dated 23.03.2015, 67 of 2015 dated  
23.03.2015, 68 of 2015 dated 23.03.2015, 69 of 2015 dated  
23.03.2015, 70 of 2015 dated 23.03.2015, 71 of 2015 dated  
23.03.2015, 72 of 2015 dated 23.03.2015, 74 of 2015 dated  
23.03.2015, 75 of 2015 dated 23.03.2015 respectively on the file  
of the Special Subordinate Judge, Vellore.

For Appellant in all      Mr.S.R.RajaGopal,  
appeals                              Additional Adv. General  
                                                 : Asst. by  
                                                 Mr.J.Balagopal,  
                                                 Spl.Govt. Pleader (AS)

For Respondent(s) in      : Mr.K.Elangoo  
all appeals



COMMON JUDGMENT  
(Delivered by M.M.Sundresh,J.)

Heard Mr.S.R.Rajagopal, learned Additional Advocate General appearing on behalf of the appellant and Mr.K.Elangoo, learned counsel appearing on behalf of the respondents.

2. As all these cases emanate out of common acquisition and the same award passed, they are disposed of by a common judgment.

3. Lands have been acquired for the construction of over bridge at level crossing and highways of Paichal Village of Thirupathur Taluk, Vellore District. The total extent of acquisition was 1,22,277 sq. ft. corresponding to 11,364 sq.mt. The last date of publication of the notification in the locality under Section 15(2) of the Land Acquisition Act was on 23.05.2010. The award was passed in Award No.2 of 2013 on 23.12.2013.

4. The Land Acquisition Officer fixed market value for the lands acquired by dividing into two, i.e., natham and punjai lands. Placing reliance upon Document No.4878 of 2010, dated 26.4.2010, which has not been marked, Rs.51.67 per sq.ft has been fixed for the punjai land situated in S.No.274/5. The Land Acquisition Officer accordingly took into consideration all the documents which involves sale of 1800 sq.ft. Accordingly, a sum of Rs.51.67 per sq.ft. has been fixed.

5. Insofar as the natham land is concerned, Document No.3889/2010, dated 13.04.2010, was taken into consideration which involves sale of an extent of 1800 sq.ft at Rs.1,90,000/-. Accordingly, a sum of Rs.105.55 per sq. ft. has been fixed.

6. It appears from the records and as submitted by the learned Additional Advocate General that these two documents have not been marked by the Reference Court.

7. On a reference, the Reference Court took into consideration Ex.C2, Document No. 9171/2009, dated 06.11.2009, situated in S.No.307/8 which is of an extent of 80 sq.ft sold for Rs.1,60,000/- which would amount to Rs.2,000/- per sq.ft. Though the sale deed relied is dated 06.11.2009, 12% has been added per year and accordingly, another sum of Rs.240/- has been added to the valuation of the land fixed at Rs.2,000/- already. Thus, in toto, a sum of Rs.2,240/- per sq.ft. has been fixed. Challenging the same, the present appeals are before us.

8. The learned Additional Advocate General appearing for the



appellants would submit that the Reference Court has committed an error in not considering the documents relied upon by the Land Acquisition Officer. These documents pertain to lands registered nearer to the acquired lands. The reliance made under Ex.C2, cannot be sustained as it involves lesser extent, namely, 80 sq.ft. No deductions have been made towards the development charges. The Reference Court ought not to have added 12% by way of enhancement by taking into consideration the date of the publication of notification in the locality under Section 15(2) of the Act as against the sale deed dated 06.11.2009.

9. The learned counsel appearing on behalf of the respondents would submit that what is to be seen is from the point of view of the intending seller and the purchaser. Therefore, the Reference Court has rightly considered the sale deed which is of the higher value. The lands are completely developed. The fact that there are existing buildings, shops in the land has also been noted by the Land Acquisition Officer. Therefore, there is no question of making any deduction towards the development charges. Hence, no interference is required. As there was a difference in time period between the data sale deed and the period of notification, enhancement has been given by the Reference Court.

10. We have perused the sketch produced by the learned Additional Advocate General. Though in the sketch the data sale deeds taken note of by the Land Acquisition Officer are with reference to S.Nos.274/5 and 154/2A, the sale deed relied upon by the respondents/claimants is situated in S.No.307/8. There is not much difference among the lands with respect to their location qua the acquired lands. One fact is not in dispute, i.e., the lands acquired are fully developed lands. There was already existing buildings which are being used for both the commercial and residential purposes. That is the reason why even the Land Acquisition Officer has not made any deduction towards the development charges.

11. We find force in the submission made by the counsel appearing for the respondents/claimants. If different data is produced, the Reference Court will have to rely upon the data sale deed which is more beneficial to the claimants. After all, the Reference Court as well as this Court will have to sit in the arm chair of the intending seller and the purchaser and thereafter fix the just compensation. Therefore, though the data sale deed (Ex.C2) relied upon by the Reference Court involves the S.No.307/8 i.e., 80 sq. ft, we do not find any error in that. This we hold so for the reason that all the lands are fully developed lands existing with the structures. The acquired lands were also used by the respondents/claimants mostly for the residential and commercial purposes. To be noted, the



respondents/claimants were owning only small extent of lands.

12. However, we find force in the submission made by the learned Additional Advocate General that the Reference Court ought not to have added any amount by taking note of the difference in the dates mentioned in the sale deed relied upon under Ex.C2 by the claimants and the last date of the publication in the notification.

13. We find that practically there was no difference in the dates. The last date of publication of the notification in the locality under Section 15(2) of the Act was on 23.5.2010. Secondly, S.No.307/8, which is subject matter of Ex.C2, is slightly situated far away from S.No.274/5, though S.No.154/2A which has also been relied upon by the learned Additional Advocate General is also a bit far away. By that way, the Reference Court ought not to have made any increase. There is no material to hold that the valuation has increased within a period of few months. Moreover, the extent involved in Ex.C2 is much higher than the one which has been taken note of by the Land Acquisition Officer, though they have not been marked. Though we are not accepting the sale deeds taken into consideration by the Land Acquisition Officer, we are of the view that the Reference Court ought not to have made 12% enhancement per year in view of the aforesaid facts.

14. In such view of the matter, we are inclined to set aside the award of the Reference Court insofar as enhancing the award by 12% from the valuation fixed at Rs.2000/- per sq ft. Thus, the appeal stands allowed in part. The appellants are directed to deposit the modified award amount within a period of eight weeks from the date of receipt of a copy of this order.

15. In the result,-

- i. Appeals are partly allowed.
- ii. The land value is uniformly fixed at Rs.2,000/- per sq ft.
- iii. The claimants are entitled to all the statutory benefits.
- iv. The learned Special Government Pleader/ Additional Advocate General are entitled to separate fee for all the appeals.
- v. There shall be no order as to costs.



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vi. Consequently, C.M.P.Nos. 18936, 14492 to 14517, 18938, 18940, 18942, 18944, 20574, 20576, 20578, 20580, 20582, 20584, 20586, 20588, 20590, 20592, 20594, 20596, 20598, 20600, 20602, 20604, 20606, 20608, 20610, 20612, 20614, 20616, 20618, 20620, 20622, 20624, 20626, 20628, 20630, 20632, 20634, 20636, 20638, 20640, 20642, 20644, 20646, 20648, 20650, 20652, 20654 and 20656 of 2017 and C.M.P.No. 3130 of 2018 are closed.

s/d-

Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

ssm

To:

1. The Special Subordinate Judge  
Vellore District  
Vellore.

Copy to

The Section officer  
V.R. Section  
High Court, Madras 104.

+1 CC to Spl. Govt. Pleader (AS) sr 40267.

+1 CC to Mr.K.Elangoo, Advocate sr 39843.

A.S Nos. 103 of 2018, 277,  
391 to 416, 420 to 422,  
567 to 571, 630 to 671 of 2017

RSK, VGI, SVI(CO)  
SP(22/10/2019)