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IN THE HIGH COURT OF JUDICATURE AT MADRAS

MONDAY, THE NINTH DAY OF SEPTEMBER
TWO THOUSAND AND NINETEEN

PRESENT:

THE HONOURABLE MR.JUSTICE R.SUBBIAH
AND
THE HONOURABLE MRS.JUSTICE R.HEMALATHA

APPEAL SUIT NO. 533 OF 2019

The Project Director
National Highways Authority of India
Ministry of Road Transport and Highways
Office of the Project Director
Project Implementation Unit
No.7, Kamadhenu Nagar
Karur - 639 001.

.. Appellant/
2nd Respondent/Beneficiary

Versus

1. The Special Tahsildar
(Land Acquisition Officer)
Byepass Road, Namakkal
now at the office of
The Tahsildar, Namakkal

...1st Respondent/
Petitioner/Referring Officer

2. The Divisional Engineer
National Highways, Salem - 5

...2nd Respondent/1st Respondent

3. Mani

...3rd Respondent/Claimant

Prayer: First Appeal filed under Section 54 of the Land Acquisition Act against the Judgment and Decree dated 13.06.2016 made in L.A.O.P. No. 64 of 2006 on the file of Subordinate Judge, Namakkal.



Decree: This Appeal coming on for hearing on this day in the presence of Mr.Su.Srinivasan, Advocate for the Appellant, Mr.J.Balagopal, Special Government Pleader on behalf of the Respondents 1 and 2, and Mr.N.Umapathy, Advocate for 3rd Respondent and the Appellant and the 3rd Respondent having settled the matter between themselves in accordance with Judgment of the court in A.S. Nos. 513 to 527 and 537 of 2015 dated 22.03.2018 and having filed in court a memo of compromise duly signed by the Appellant and 3rd Respondent herein and upon perusing the grounds of Appeal, the Judgment and decree of the Court below and the material papers available in this case and the memo of compromise duly signed by the parties and their respective advocates, this court while disposing this Appeal Suit doth recorded the said memo of compromise dated 09.09.2019, the Original of which is annexed herein and order and decree as follows:-

i) that as agreed the compensation amount awarded in Judgment and Decree dated 13.06.2016 made in L.A.O.P. No. 64 of 2006 on the file of Subordinate Judge, Namakkal be and hereby is reduced from Rs.80/- per square feet to Rs.67/- per square feet for the acquired lands of the private respondent(14531 square feet) and + 30% of the solatium amount + 12% additional amount of the award amount from the date of 4(1) notification i.e from 11.10.1993 to 05.09.1995 i.e., till the date of pronouncement of award;

ii) that as agreed that the respondent/landowner be and hereby is entitled to receive the Annual interest for the enhanced award from 06.09.1995 to 05.09.1996 at the rate of 9% and thereafter i.e., from 06.09.1996 entitled for the interest at the rate of 15% to the said enhanced award amount until the amount is deposited by the land acquisition officer to the credit of the LAOP less the land value amount already received by the respondent/Land owner;

iii) that the Appellant herein/The NHAI, The Special Tahsildar and the 3rd Respondent/land owner/the private respondent do have no further claim in whatsoever manner in any forum and this terms binds the parties/legal heirs every aspect;



iv) that remaining part of award passed by the Sub Court, Namakkal in LAOP No.64 of 2006 shall remain unaltered;

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v) that there be no costs in this Appeal.

* Herein enclosed the xerox copy of the memo of compromise.

Sd/-
Assistant Registrar(CS-I)

// True Copy //

Sub Assistant Registrar

To

1. The Special Tahsildar
(Land Acquisition Officer)
Byepass Road, Namakkal
now at the office of
The Tahsildar, Namakkal.
2. The Subordinate Judge,
Namakkal.

Copy To

The Section Officer
Vernacular Records,
High Court, Madras.

+1cc to Mr.Su.Srinivasan, Advocate, S.R.No.77954



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DATED : 09/09/2019

DECREE :

A.S. No. 533 of 2019

Disposing this First Appeal, in terms of joint memo of compromise filed, preferred against the Judgment and Decree dated 13.06.2016 made in LAOP No.64 of 2006 on the file of Subordinate Judge, Namakkal, etc., as stated within.

RSI(CO)
RLP(04/10/2021)