

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Thursday, the Twenty First day of November Two Thousand Nineteen

PRESENT

THE HON`BLE MR JUSTICE R.SUBBIAH

and

THE HON`BLE MRS JUSTICE T. KRISHNAVALLI

CMP No.23002 of 2019

IN AS.621 of 2018

RAVI KATARI

[PETITIONER]

Vs

1 THE SPECIAL TAHSILDAR (L.A)

[RESPONDENTS]

SIPCOT LTD, EGATTUR SCHEME, SRIPERUMBUDUR TK,
KANCHEEPURAM DIST

2 THE CHAIRMAN AND MANAGING DIRECTOR,
SIPCOT 19A, RUKMANI LAKSHMIPATHI SALAI,
EGMORE, CH-08

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to permit the petitioner to withdraw the entire deposited amount along with accrued interest till date deposited to the credit of LAOP No.75/07 on the file of the Addl Sub court at Chengalpet without furnishing security (in CMP.No.23002/2019) pending final disposal of this AS.No.621/2018. सत्यमेव जयते

Order : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.A.S.VIJAY ANAND, Advocate for the petitioner and of Mr. J. BALAGOPAL, SPECIAL GOVERNMENT PLEADER (AS) for 1st Respondents and of Mr. RAMESH VENKATACHALAPATHY, ADVOCATE for 2nd Respondent the court made the following order:-

Petitioner/claimant has filed this Miscellaneous Petition seeking permission to withdraw the entire amount with accrued interest deposited to the credit of L.A.O.P.No.75 of 2007 on the file of learned Additional Sub Judge, Chengalpet, without furnishing security pending final disposal of the appeal.

2. Heard learned counsel for petitioner/claimant, learned Special Government Pleader appearing for first respondent and learned counsel appearing for second respondent.

3. Learned Special Government Pleader appearing for first respondent submits that pursuant to the order of this Court dated 10.10.2018, first respondent has deposited a sum of Rs.3,45,16,668/- (Rupees Three Crores Forty Five Lakhs Sixteen Thousand Six Hundred and Sixty Eight only) and he opposes this petition submitting that the Land Acquisition Officer has fixed the value of the land at Rs.15,000/- per cent. However, in a meeting held on 15.12.2014, the Chairman of Lok Adalat and the District Revenue Officer, Kancheepuram, have given consent to enhance the value of the land from Rs.15,000/- to Rs.1,00,000/- per cent. Therefore, the main appeal is to be taken for final disposal.

4. In reply, learned counsel for petitioner/claimant submits that the claimant is aged about 72 years, that the L.A.O.P was of the year 2007 and hence, petitioner/claimant may be permitted to withdraw the entire amount with accrued interest.

5. Considering the rival submissions and the factual scenario, this Court permits the petitioner/claimant to withdraw a sum of Rs.1,00,00,000/- (Rupees One Crore only) with accrued interest out of the amount deposited to the credit of L.A.O.P.No.75 of 2007 on the file of learned Additional Sub Judge, Chengalpet, on due application.

6. The Miscellaneous Petition is disposed of with the above direction.

Post the main appeal for final disposal on 18.12.2019.

-sd/-

21/11/2019

/ TRUE COPY /

Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE ADDITIONAL SUBORDINATE JUDGE,
CHENGALPET

2 THE SECTION OFFICER,
V.R.SECTION, HIGH COURT, CHENNAI

C.C. to M/S.A.S.VIJAY ANAND Advocate on payment of necessary Charges

Order
in
CMP.23002/2019
in
AS.621/2018

Date :21/11/2019

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