

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.12.2020

CORAM

THE HONOURABLE MR. JUSTICE S.S.SUNDAR

A.S. No.773 of 2003

The Special Tahsildar (LA),
SHAR Unit,
Ponneri.

... Appellant/Referring Officer

Vs.

1.Jameel Abubecker

2.Union of India,
Rep. by the Secretary to Government,
Department of Space
Antariksh Bhavan,
New Bel Road,
Bangalore - 560 094.

3.The Chief Construction Engineer,
Department of Space,
Sriharikota - 524 124.

... Respondents

(RR 2 and 3 impleaded as party respondent vide order
of Court dated 13.07.2010 made in C.M.P. No.449 of 2005)

Appeal suit filed under Section 54 of Land Acquisition
Act, against the judgment and decree of the learned Subordinate
Judge of Tiruvallure in L.A.O.P. No.150 of 1986 dated the 14th
day of May 1993.

For Appellant : Mr. J.Balagopal
Special Government Pleader

Respondent - 1 : Died

For Respondents 2&3 : Mr. C.Krishnan
Central Government Standing Counsel

JUDGMENT

This appeal is preferred against the judgment and decree of learned Subordinate Judge, Tiruvallur in L.A.O.P. No.150 of 1986.

2. The lands belonged to the first respondent was acquired long back and the Land Acquisition Officer has fixed a sum of Rs.10/- per cent. On a reference under Section 18 of the Land Acquisition Act, the learned Subordinate Judge, Tiruvallure has enhanced the compensation from Rs.10/- per cent to Rs.450/- per cent. Challenging the enhancement, the appeal is preferred by the Special Tahsildar (LA).

3. It is submitted before this Court that the first respondent in this appeal died long back. The first respondent is the only contesting respondent being the land owner. Other respondents supports the appellant as they are commonly interested in reducing the compensation. Despite the death of the first respondent was reported long back, it is seen that no steps have been taken to bring on record the legal representatives of the deceased first respondent.

4. Having regard to the nature of appeal and the pendency of the proceedings for a long time, this Court is not inclined to grant further time to bring on record the legal representatives of the deceased first respondent. Since there is no valid reason for the long delay, this Court is inclined to dismiss the appeal as abated.

5. Accordingly, the Appeal Suit is dismissed as abated. In case, if the appellant has sufficient reason for the delay, it open to the appellant to file a petition to set aside the abatement.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

bkn

To

1. The Subordinate Judge,
Tiruvallure.

2.The Special Tahsildar (LA),
SHAR Unit,
Ponneri.

3.The Secretary to Government,
Antariksh Bhavan,
New Bel Road,
Bangalore - 560 094.

4.The Chief Construction Engineer,
Department of Space,
Sriharikota - 524 124.

+1 CC to Mr.M.T.Arunan, Advocate Sr.No.40126

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SVI (CO)
KP (19/01/2021)



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