

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.01.2020

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

A.S.Nos.355 to 359 of 2010

The Land Acquisition Officer and
Sub Collector,
Hosur.

...Appellant in all cases/Respondents

Vs.

Nagappa ...Respondent/Claimants in A.S.No.355/2010

Narasaimmappa ...Respondent/Claimants in A.S.No.356/2010

Krishnappa ...Respondent/Claimants in A.S.No.357/2010

Govindaraj ...Respondent/Claimants in A.S.No.358/2010

Khempanna ...Respondent/Claimants in A.S.No.359/2010

Common Prayer: Appeal Suits filed under Section 54 of the Land Acquisition Act, against the Judgement and Decree of the learned Subordinate Judge of Hosur in L.A.O.P.Nos.732, 733, 736, 737 and 741 of 1996 dated 29th August 1997.

For Appellant : Mr.J.Balagopal
(in all cases) Special Government Pleader (AS)

For Respondents: Not ready in notice
(in all cases)

COMMON JUDGEMENT

Heard Mr.J.Balagopal, learned Special Government Pleader appearing for the appellant.

2.These appeals are files by the Land Acquisition Officer. The lands of the respondents were taken over for the formation of inner ring road in and around Hosur limits. The lands are situated in Methamagaram, Hosur Taluk in Krishnagiri District. The acquisition authority fixed the rate of compensation at Rs.3,70,500/- per hectare for the wet lands and Rs.2,24,141/- per hectare for the dry lands. The respondents objected to the

lower rate of compensation. Hence, the matter was sent for determination of market value by the Reference Court, namely the Sub Court, Hosur. This matter has been listed as L.A.O.P.Nos.732, 733, 736, 737 and 741 of 1996. The Reference Court after taking evidence enhanced the compensation and fixed at Rs.3,58,644/- per acre for the wet land and Rs.3,05,200/- per acre for the dry land. Aggrieved by the three-fold increase, the present appeals have been filed.

3.This Court is not inclined to upset the order passed by the Reference Court on the sole ground that in similar issues in respect of the acquisition made by the Housing Board in the very same area, a Division Bench of this Court, after modifying the higher amount fixed by the Reference Court, reduced the market value to that of Rs.5,900/- per cent in respect of a vantage location and for the next grade of land to Rs.4,750/- and to the last two grades to Rs.3,600/- and Rs.3,400/- per cent, by a common order dated 17.09.2003 in Writ Appeal No.50 of 1999 etc., batch. Since these lands are situated in and around the similar areas, the compensation ordered by the Reference Court works out to Rs.3,58,644/- for wet land and for Rs.3,05,200/- for the dry land per acre.

4.Under these circumstances, this Court is not inclined to interfere with the order passed by the Reference Court. Hence, all the Appeal Suits are dismissed. However, since the respondents are not before this Court, there is no order as to costs.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

hvk
To

The Subordinate Judge, Hosur.
Copy to
The Section Officer
VR Section
High Court, Madras 104.

+1 CC to The Special Government Pleader(AS) sr
5456,5457,5458,5459,5460.

A.S.Nos.355 to 359 of 2010

SS(CO)
SP(09/11/2020)