



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.01.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

A.S.Nos.41 & 42 of 2020
CMP.Nos.313 & 314 of 2020

1. The Special Tahsildar (LA),
Chennai Export Processing Zone,
Saidapet, Chennai - 15.

2. The Development Commissioner,
MEPZ, Kadaperi, Tambaram,
Chennai - 600 045.

.. Appellants in both A.Ss.

Vs.

V. Kanthan

..Respondents in A.S.No.41 of 2020

Muthu Nadar

...Respondents in A.S.No.42 of 2020

COMMON PRAYER: Appeals under Section 96 of the Code of Civil Procedure, 1908, against the judgment and decree made in LAOP No.566 of 1987 and 572 of 1987 respectively on the file of the Learned Subordinate Judge, Poonamalle dated 31.08.2000

For Appellants : Mr.J.Balagopal
[in both ASs.] Special Government Pleader

For Respondents: Mr.J.Antony Jesus
[in both ASs.]

COMMON JUDGMENT

The appeal suits are filed challenging the common judgment and decree passed in Land Acquisition Original Proceedings No.566 of 1987 and 572 of 1987 dated 31.8.2000.

2. The Land Acquisition Officer has fixed the compensation at Rs.145/- per cent. The said compensation was enhanced by the LAOP Court to Rs.4,875/- (Rupees Four Thousand Eight Hundred and Seventy Five only) based on the sale deed registered before the Office of the Registrar.



3. Challenging the said enhancement, the appeal suits are filed by the Special Tahsildar(Land Acquisition), Chennai Export Processing Zone, Saidapet, Chennai and this Court in respect of the other connected appeal suits, passed an order fixing the compensation as Rs.2,500/- (Rupees Two Thousand and Five Hundred only) per cent and accordingly, the said judgment was implemented. This Court fixed the compensation by considering the documents as well as the materials produced by the respective parties before the Court.

4. In view of the fact that in respect of the common judgment and decree regarding the acquisition proceedings in the same location, this Court has fixed the compensation at Rs.2,500/- (Rupees Two Thousand and Five Hundred only) per cent. This Court is of an opinion that the said judgment is to be followed in respect of the present appeal suits also.

5. Accordingly, the judgment and decree passed by the Trial Court in LAOP.Nos.566 of 1987 and 572 of 1987 dated 31.08.2000 is modified to the extent of reducing the compensation amount from Rs.4875/- to Rs.2,500/- (Rupees Two Thousand and Five Hundred only) per cent and the appellants are directed to pay the same to the land owners within a period of twelve (12) weeks from the date of receipt of a copy this judgment with all other statutory benefits.

6. With this modification, the appeal suits are allowed in part. No costs. Connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

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To

The learned Subordinate Judge, Poonamallee.

Copy To

The Section Officer, VR Section, High Court, Madras - 104.

AS.Nos 41 & 42 of 2020

RSI (CO)

RGA(06/09/2021)