

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.02.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

A.S.No.193 of 2020

&

CMP.No.2866 of 2020

1. The Special Tahsildar (LA),
Chennai Export Processing Zone,
Saidapet, Chennai - 15.
 2. The Development Commissioner,
MEPZ, Kadaperi, Tambaram,
Chennai - 600 045.Referring officer/Appellants
2nd Respondent/Appellant
- Vs.
- Thulasi NaickerRespondent/Claimant

PRAYER: Appeals under Section 54 Land Acquisition Act, 1908, against the judgement and decree made in L.A.O.P. No.467 of 1987 dated 31.08.2000 on the file of the Learned Subordinate Judge, Poonamalle.

For Appellants : Mr.J.Balagopal
Special Government Pleader

JUDGMENT

The appeal suit is filed challenging the judgment and decree passed in Land Acquisition Original Proceedings No.467 of 1987 dated 31.8.2000 on the file of the Subordinate Judge, Poonamalle.

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 suit is 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 Twenty Five Thousand 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 Twenty Five Thousand only) per cent. This Court is of an opinion that the said judgment is to be followed in respect of the present appeal suit also.

5. Accordingly, the judgment and decree passed by the Trial Court in LAOP.No.467 of 1987 dated 31.08.2000 is modified to the extent of reducing the compensation amount to Rs.2,500/- (Rupees Two Thousand Five Hundred only) per cent 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 petition is closed.

Sd/-

Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

mrm

To

The learned Subordinate Judge,
Poonamallee.

+1cc to the Spl. Government Pleader, S.R.No.12606

AS.Nos.193 of 2020

AD(CO)
CB(21/04/2021)

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