

C.R.P.Nos.1878, 1881, 1883,
1880, 1885 and 1886 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.10.2020

CORAM:

THE HONOURABLE MR. JUSTICE RMT.TEEKAA RAMAN

C.R.P.(NPD) Nos.1878, 1881, 1883,
1880, 1885 and 1886 of 2020

Nachimuthu	...Petitioner in C.R.P.(NPD)No.1878 of 2020
M.S.Venkatraman	...Petitioner in C.R.P.(NPD)No.1881 of 2020
R.G.Shanmugam	...Petitioner in C.R.P.(NPD)No.1883 of 2020
K.Sukumaran	...Petitioner in C.R.P.(NPD)No.1880 of 2020
Janakiraman (died)	...Petitioner in C.R.P.(NPD)No.1885 of 2020
K.Rajagopalan	...Petitioner in C.R.P.(NPD)No.1886 of 2020

..Vs..

Land Acquisition Officer-cum-The Collector,
Southern Section Inner Ring Road Scheme,
Chennai Collectorate,
Chennai-1.

...Respondents in all C.R.Ps.

PRAYER in C.R.P.(NPD)No.1878 of 2020 : Civil Revision Petition filed under Article 227 of Constitution of India, to set aside the fair order and decreetal order dated 09.03.2018 and made in L.A.O.P.No.3 of 2014 on the file of the 6th Assistant Judge, City Civil Court, Chennai.

PRAYER in C.R.P.(NPD)No.1881 of 2020: Civil Revision Petition filed under Article 227 of Constitution of India, to set aside the fair order and decreetal order dated 09.03.2018 and made in L.A.O.P.No.54 of 2014 on the file of the 6th Assistant Judge, City Civil Court, Chennai.

PRAYER in C.R.P.(NPD)No.1883 of 2020: Civil Revision Petition filed under Article 227 of Constitution of India, to set aside the fair order and decreetal order dated 09.03.2018 and made in L.A.O.P.No.22 of 2014 on the file of the 6th Assistant Judge, City Civil Court, Chennai.

PRAYER in C.R.P.(NPD)No.1880 of 2020: Civil Revision Petition filed under Article 227 of Constitution of India, to set aside the fair order and decreetal order dated 09.03.2018 and made in L.A.O.P.No.19 of 2014 on the file of the 6th Assistant Judge, City Civil Court, Chennai.

PRAYER in C.R.P.(NPD)No.1885 of 2020: Civil Revision Petition filed under Article 227 of Constitution of India, to set aside the fair order and decreetal order dated 09.03.2018 and made in L.A.O.P.No.87 of 2012 on the file of the 6th Assistant Judge, City Civil Court, Chennai.

PRAYER in C.R.P.(NPD)No.1886 of 2020: Civil Revision Petition filed under Article 227 of Constitution of India, to set aside the fair order and decreetal order dated 09.03.2018 and made in L.A.O.P.No.8 of 2014 on the file of the 6th Assistant Judge, City Civil Court, Chennai.

For Petitioner :Mr.A.Babu in all cases

For Respondent :Mr.J.Balagopal,
Special Government Pleader
in all cases.

ORDER

These Civil Revision Petitions have been filed to set aside the the fair and decreetal order dated 09.03.2018 made in L.A.O.P.Nos.3 of 2014, 54 of 2014, 22 of 2014, 19 of 2014 and order dated 26.02.2018 made in L.A.O.P.87 of 2012 and 8 of 2014.

2. Heard both sides.

3. It is not in dispute as relied on by learned Special Government Pleader appearing for the respondent that with respect to the same Land Acquisition notification in question, issued by the respondent herein, C.R.Ps in 1413 of 2020 etc., batch cases were allowed by this Court by order dated 01.10.2020, wherein in Paragraph Nos.51 and 52, it was observed by this

Court as follows:-

"51. In that view of the matter, considering the ratio laid down in the other judgments, I deem it fit to allow minimum of 15% deduction towards development charges. Thus, after deducting 15% towards development charges, the rate of compensation works out to:-

$$\text{Rs.}1947 \times 15/100 = \text{Rs.}292.05/-$$

$$\text{Rs.}1947 - \text{Rs.}292/- = \text{Rs.}1655/- \text{ sq.ft}$$

(Rounded off to Rs.1655/- per sq.ft)

"52. In the result,

i. The Civil Revision Petitions are partly allowed by modifying the awards as indicated.

ii. The land value is uniformly fixed at Rs.1,655/- (Rupees One thousand six

hundred and fifty five only) per sq.ft.

iii. The claimants are entitled to all other statutory benefits particularly interest as per Section 28 and its proviso of Land Acquisition Act viz., the other benefits provided to the claimants by the VI Assistant City Civil Court, Chennai, in the above Awards, stands confirmed.

iv. The learned Special Government Pleader is entitled to get separate fee for all the Civil Revision Petitions.

v. Twelve weeks time is granted for deposit of the Award amount from the date of receipt of a copy of this order.

There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed."

4. In view of the above admitted position and the ratio laid down therein and the quantum fixed therein, the same shall also be fixed in respect of the lands in question in Survey Number in the present cases also.

5. Accordingly, I am inclined to follow the above order in Paragraph Nos.51 and 52 in C.R.Ps in 1413 of 2020 etc., batch cases the amount has to be deposited within 12 weeks from the date of receipt of a copy of this order and compliance report shall be filed by the respondent

6. In the result, these Civil Revision Petitions are partly allowed in the same terms as in the above said C.R.Ps, and the compensation awarded by the trial forum is hereby modified to the limited extent indicated above.
No costs.

29.10.2020

nvi

WEB COPY

Index: Yes/No

Speaking Order: Yes/No

To

The 6th Assistant Judge,
City Civil Court, Chennai.

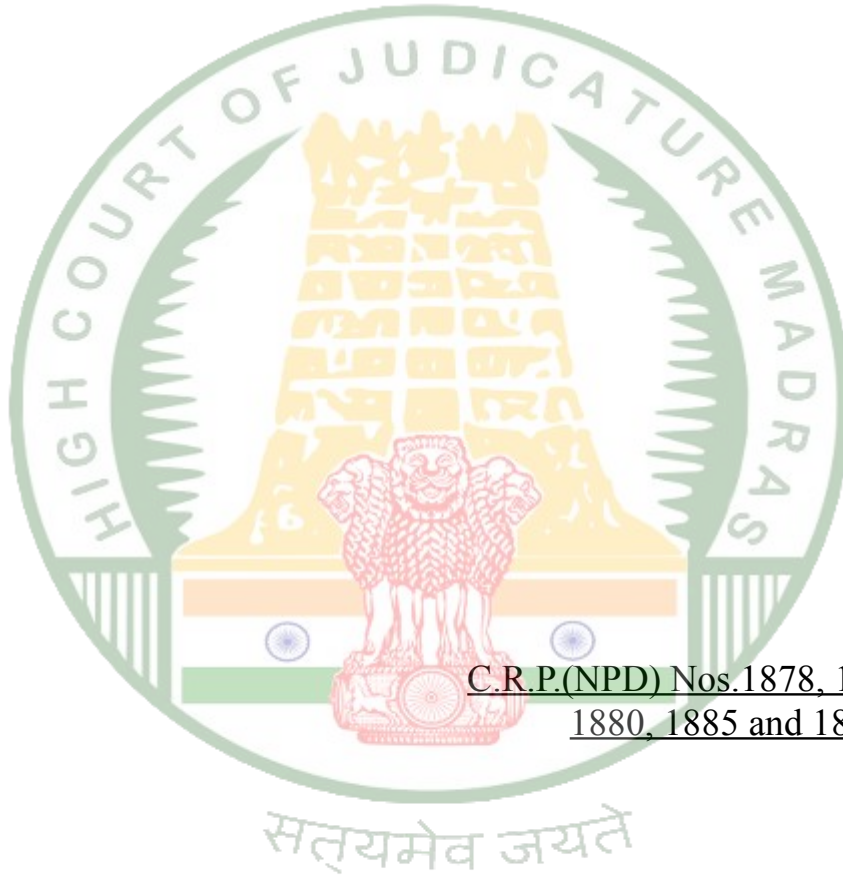


WEB COPY

C.R.P.Nos.1878, 1881, 1883,
1880, 1885 and 1886 of 2020

RMT.TEEKAA RAMAN,J.,

nvi



C.R.P.(NPD) Nos.1878, 1881, 1883,
1880, 1885 and 1886 of 2020

WEB COPY

29.10.2020



WEB COPY