

IN THE HIGH COURT OF JUDICATURE AT MADRAS

THURSDAY, THE THIRTEENTH DAY OF FEBRUARY

TWO THOUSAND AND TWENTY

PRESENT

THE HON'BLE MR.JUSTICE M.M.SUNDRESH

AND

THE HON'BLE MR.JUSTICE KRISHNAN RAMASAMY

A.S.NO.446 OF 2017

LAND ACQUISITION OFFICER &
REVENUE DIVISIONAL OFFICER,
DHARMAPURI.

...Appellant/Respondent

Vs

1 Sithammal

...1st Respondent/Claimant

2 POWER GRID CORPORATION OF INDIA LTD.,
REP BY ITS SENIOR DEPUTY GENERAL MANAGER,
MR.GOPI KRISHNAN DHAMAPURAI. ...2nd Respondent
(R2 impleaded as per order dated 13.02.2020 in
C.M.P.No.2907/2020)

Prayer:Appeal filed under Section 54 of the Land
Acquisition Act against the Judgment and Decree of the
Subordinate Court, Dharmapuri in LAOP No. 43 of 2013 dated
22/07/2016.

DECREE:This Appeal coming on for hearing on this day, and
having listed Under the Caption for Being Mentioned on
24/09/2020 and upon perusing the grounds of appeal the
Judgment and Decree of the Trial Court and the material
papers in the suit and upon hearing the arguments of
Mr.J.Bala Gopal, Special Government Pleader for the
Appellant and of Mr.S.C.Vishwanth, Advocate for the first
Respondent and of Mr.Jayesh B.Dolia for M/s.Aiyar & Dolia
for the second Respondent and this Court while allowing the
appeals filed by the Appellant/Land Acquisition Officer by
observing that the first respondent/Claimant had received
some amount, vide order dated 12/10/2017 made in CMP
No.14702/2017 in A.S.No.446/2017 doth order and decree as
follows;

i)That the compensation is be and hereby fixed at Rs.6 Lakhs per acre, which shall be at Rs.13.77 per sq ft for the acquired land;

ii)That the First Respondent/Claimant is be and hereby entitled to the Statutory benefits as per the land Acquisition Act including interest and Solatium of 30%;

iii)That the 1st Respondent/Claimant shall withdraw the amount, if they are entitled for more amount than that was already received by the 1st Respondent/Claimant, by filing appropriate application before the Reference Court after satisfaction of Judgment and Decree of this Appeal;

iv)That the Appellant/Land Acquisition officer is hereby permitted to withdraw the excess amount, if any already deposited before reference Court, after adjusting the amount awarded in this Appeal;

v)That the Special Government Pleader be and hereby is entitled for separate fee in this Appeal;

vi)that there be no costs in this Appeal;

Sd/-
Deputy Registrar(CS)

//True Copy//

Sub Assistant Registrar

To

- 1.The Subordinate Judge,
Dharmapuri.
- 2.The Section Officer,
VR Section,
High Court, Madras-104.
- 3.The Land Acquisition Officer and
Revenue Divisional Officer,
Dharmapuri.

+1cc to M/s.S.C.Viswanth, Advocate Sr.12662
+1cc to the Special Government Pleader 13278

Dated:13/02/2020

DECREE

A.S.No.446 of 2017

Allowing the Appeal filed under Section 54 of the Land Acquisition Act against the Judgment and Decree of the Subordinate Court, Dharmapuri dated 22/07/2016 in L.A.O.P.No.43/2013 etc., as stated within.

Rv[col]
srg 27/09/2021