



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 14.10.2020**

**CORAM:**

**THE HONOURABLE MR.JUSTICE M. GOVINDARAJ**

**A.S(MD)No.63 of 2015**

WEB COPY

The Special Tahsildar (LA),  
South Neighbourhood Scheme,  
Unit II, Madurai - 20. : Referring Officer/Appellant/1<sup>st</sup> Respondent

Vs.

1. M.S. Perumal : 1<sup>st</sup> Respondent / Claimant  
2. The Executive Engineer,  
Tamil Nadu Housing Board,  
Ellis Nagar, Madurai : 2<sup>nd</sup> respondent/2<sup>nd</sup> Respondent

Prayer: Appeal Suit filed under Section 54 of the Land Acquisition Act, against the Judgment and Decree of the 1<sup>st</sup> Additional Subordinate Judge, Madurai in L.A.O.P.No.88/89, dated 09.09.1992.

For appellant : Mr. J. Gunaseelan Muthiah  
Additional Government Pleader  
For 2<sup>nd</sup> respondent : Mr. R. Janarthanan

**JUDGMENT**

Challenging the Award passed by the learned I Additional Subordinate Judge, Madurai, in L.A.O.P.No.88 of 1989, dated 09.09.1992, the appellant has preferred the present appeal.

2. According to the appellant, the land was acquired for the purpose of promoting Neighbourhood Scheme by the 2<sup>nd</sup> respondent herein. The Land Acquisition Officer fixed the market value at Rs.100/- per Cent. Not satisfied with the award passed by the Land Acquisition Officer, the matter was referred under Section 18(2) of the Act, before the Sub Court, Madurai, wherein the market value was fixed at Rs.1,000/- per Cent.

3. The first respondent / claimant has let in evidence to the effect that the acquired land is situated in Madurai - Kanyakumari National Highways and surrounded by Thiagarajar Mill, Rubber Factory, Civil Supplies Godowns and SIDCO Industrial Estates, as per the Survey No. 34/2, sale deed, dated 20.09.1985, but, the same was later on sold for Rs.1,000/- per Cent and a sale deed, dated 01.02.1985 in S.No.73/S, 5 Cents were sold for Rs.10,000/- and the land in another S.No.80/2, dated 29.12.1984, was sold for Rs.1,000/- per Cent.

4. The land acquired by the appellant falls within S.No.80/6A, the market value of which is around Rs.5,000/-.

<https://hcservices.ecourts.gov.in/hcservices/>





**To**

1. 1<sup>st</sup> Additional Subordinate Judge, Madurai.

2. The Executive Engineer,  
Tamil Nadu Housing Board,  
Ellis Nagar, Madurai

Copy to:

The Section Officer(2Copies)  
V.R Section  
Madurai Bench of Madras High Court,  
Madurai.

+1 CC to M/s.SPL GP ( SR-20145[F] dated 15/10/2020 )

+1 CC to M/s.R. JANARTHANAN, Advocate ( SR-20444[F] dated 16/10/2020 )

A.S (MD) No.63 of 2015  
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PK (CO)  
KB (19.11.2020) 3P 7C