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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.10.2021

CORAM

THE HONOURABLE MR. JUSTICE A.A.NAKKIRAN

A.S.No.411 of 2016
and
CMP.Nos.9820 & 9821 of 2016

The Chairman,
Neyveli Lignite Corporation Limited,
Neyveli.

..Appellant/3rd respondent

vs.

1.Chinnadurai

... 1st Respondent/Claimant

2.The Special Tahsildar(Land Acquisition)
Jayamkondam Lignite Power Project,
Jayamkondam.

3.The Executive Director,
Tamil Nadu Industrial Development
Corporation(TIDCO)
Egmore, Chennai - 600 008

..Respondents 2 & 3/Respondent

Appeal under Section 54 of the Land Acquisition Act,
1894, to set aside the Common Judgment and Decree dated
29.01.2013 passed in L.A.O.P.No.774 of 2008 on the file of the
Special Court No.I, Jayamkondam.

For Appellant :Mr.Jayaraman
for Mr.Nithianandam

For Respondents :M/s.King & Patridge for R3
for Mr.Mohan
Mr.Edwin Prabakar for R2
Government Advocate (CS)

J U D G M E N T

This First Appeal is filed to set aside the judgment and
decree passed by the Special Court No.I, Jayamkondam, in the
L.A.O.P.No.774 of 2008 dated 29.01.2013.



2. The learned counsel on either side have submitted that the issue involved in this appeal is squarely covered by the Judgment of this Court, dated 27.08.2015, made in a batch of First Appeals in A.S.Nos.233 to 239 of 2013.

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3. Following the said Judgement of this Court dated 27.08.2015 made in a batch of First Appeals in AS.Nos.233 to 239 of 2013, which was followed by this Court in another Judgement, dated 20.12.2019 made in a batch of First Appeals in AS.Nos.309 to 313 of 2016, this First Appeal is allowed. The appellant is permitted to withdraw the amount, if any deposited, at the time of admission of the First Appeal, along with the interest accrued. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

gv

To

1.The Special Tahsildar(Land Acquisition)
Jayamkondam Lignite Power Project,
Jayamkondam.

2.The Executive Director,
Tamil Nadu Industrial Development
Corporation(TIDCO)
Egmore, Chennai - 600 008

3. The Special Court No.I,
Jayamkondam.

+1cc to Mr.N.Nithianandan, Advocate SR.No.56145
+1cc to Mr.King & Partridge, Advocate SR.No.56473

A.S.No.411 of 2016
and
CMP.Nos.9820 & 9821 of 2016

CNR(CO)
GN(11/01/2022)