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IN THE HIGH COURT OF JUDICIATURE AT MADRAS

DATED : 17.12.2021

CORAM :

THE HONOURABLE MR.JUSTICE T.RAJA
and
THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Contempt Petition No.921 of 2018

A.P.Ranga Rao (deceased)

S.Sathyavathi
D/o.A.P.Ranga Rao
No.2/3, Vedanthi Desigar Street,
Pelathope, Mylapore,
Chennai – 600 004.
(the petitioner is impleaded as per the order
of the Court dated 25.08.2021 made in Sub.
Application No.321 of 2021 in Contempt
Petition No.921 of 2018)

... Petitioner

versus

T.Ravindran,
Special Tahsildar,
Land Acquisition,
Chennai City Waterways Scheme,
Ambattur-600 053.

... Respondent

Prayer: Contempt Petition filed under Section 11 of the Contempt of Courts Act to punish the respondent for Contempt of Court for having not obeyed and for having acted in total disregard to the judgment and decree of this Court passed in A.S. No.302 of 2015 dated 13.08.2015.



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For Petitioner : Mr.R.Krishnaswamy
For Respondent : Mr.V.Ravi,
Special Government Pleader

JUDGMENT

(Judgment of this Court was delivered by **T.RAJA,J.**)

This Contempt petition has been filed to punish the respondent for his deliberate disobedience in complying with the judgment and decree dated 13.08.2015 passed by this Court in A.S. No.302 of 2015.

2.On the earlier occasion, the petitioner filed a Calculation Memo on 14.12.2021 and Mr.Ravi, learned Special Government Pleader took time to take instructions. Today, Mr.V.Ravi, learned Special Government Pleader appearing for the respondent, filing a calculation sheet dated Nil, signed by the Special Tahsildar, (LA), incharge, Chennai City Waterways, Ambattur, submitted that when the alleged land cost was Rs.19,85,716.98 p., 30% of the solatium and 12% of the additional market value from 28.12.1983 to 26.05.1984 would come to Rs.5,95,715.09 p. and Rs.28,38,109.96 p. respectively and after deducting the amount of Rs.1,04,143.96 p., which was already paid by the respondent as per the Award dated 31.10.2014, the balance due payable by them comes to Rs.27,33,966.96 p. Again while calculating 9% interest from 27.05.1984 to 26.05.1985, namely, for the first one year, the



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amount comes to Rs.2,45,940.99 p. After expiry of one year, the statutory interest of 15% from 27.05.1985 to 31.07.2015 comes to Rs.39,98,707.57 p. and the total interest upto 31.07.2015 comes to Rs.42,44,648.56 p. Learned Special Government Pleader further submitted that as directed by this Court on 31.07.2015, the respondent had deposited 50% of the amount awarded by the Subordinate Court, Ponneri, namely Rs.34,88,184/- on 31.07.2015 and therefore, the balance amount due and payable to the petitioner was Rs.34,90,431/- and the same was deposited after 1 year 6 months 8 days on 08.02.2017, for which, the interest at the rate of 15% comes to Rs.2,06,547.52 p., Rs.1,03,273.76 p. and Rs.4,589.94 p. respectively. Therefore, the total interest due was Rs.3,14,411.22 p. upto 08.02.2017 and the same is the correct amount, calculated by the respondent. Since the respondent has already deposited 50% of the amount awarded by the Subordinate Court, Ponneri, as directed by this Court, instead of calculating the interest only on the balance 50% of the said amount, namely Rs.34,90,431/-, the petitioner, by making wrong calculation, has arrived at a sum of Rs.4,72,065/- instead of Rs.3,14,411.22 p., which is the correct amount calculated by the respondent.

3. We also find the correct approach adopted by the Special Tahsildar, the respondent herein. Therefore, we direct the respondent to take out a



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Demand Draft in favour of the petitioner for Rs.3,14,411.22 p. and to hand over the same to the petitioner directly within a period of one week from the date of receipt of a copy of this order. Since the respondent has taken four long years for paying the said amount, the respondent is further directed to pay Rs.15,000/- to the petitioner towards costs. With the above direction, this Contempt Petition stands closed.

SD/-

ASSISTANT REGISTRAR(COMM. CASES)

vga

//Certified to be true copy//

Dated at Madras this the day of 2020.

COURT OFFICER(O.S.)

from 25th day of September 2008 the Registry is issuing Certified copies of the Orders/Judgments/Decrees in this format.

To

The Special Tahsildar,
Land Acquisition,
Chennai City Waterways Scheme,
Ambattur,
Chennai – 600 053.