



AS.Nos.129, 130, 131, 132, 133, 144, 145, 146 & 147/2006

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

AND

THE HONOURABLE MR. JUSTICE A.A.NAKKIRAN

AS.Nos.129, 130, 131, 132, 133, 144, 145, 146 & 147/2006 &
CMP.Nos.9181 & 9182/2006

The Secretary, Corporate Office
Neyveli Lignite Corporation Limited
Neyveli 607801.

.. Appellant in
all the Appeals

Vs.

1.Ramasamy [Died]
2.The Special Tahsildar
Land Acquisition [L.P]
Neyveli-2.
3.R.Ramalingam
4.R.Govindarajulu
5.Tmt.Jothilakshmi

.. RR 1 & 2 in
all Appeals

****RR3 to 5 are brought on record as**

LRs of deceased 1st respondent, viz.,

Ramasamy, vide order of Court dated

11.11.2022 in CMP.Nos.11427, 11430 &11434/2019



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**in AS.Nos.129 ; in CMP.Nos.11456, 11457 & 11459/2019
in 130/2006 ; in CMP.Nos.11460, 11461 & 11463/2019 in
AS.No.131/2006 ; in CMP.Nos.11431, 11429 & 11432/2019 in
AS.No.132/2006 ; in CMP.Nos.11436, 11438 & 11440/2019 in
AS.No.133/2006 ; in CMP.Nos.11409, 11411 & 11413/2019 in
AS.No.145/2006 vide order dated 28.10.2022 ; in CMP.Nos.11444,
11446 & 11447/2019 in AS.No.146/2006 vide order dated 28.10.2022 ;
in CMP.Nos.11405, 11433 & 11439/2019 in AS.No.147/2005.**

Common Prayer:- Appeal Suits [AS.Nos.129 to 133/2006] filed under Section 54 of the Land Acquisition Act and Appeal Suits [AS.Nos.144 to 147/2006] filed under Section 96 of CPC read with Section 54 of the Land Acquisition Act against the judgment and decree of the learned Additional District Judge, Fast Track Court – III, Virudhachalam dated 30.09.2004 ; 29.10.2004, 29.10.2004, 30.09.2004, 29.10.2004, 27.04.2005, 27.04.2005, 27.04.2005 and 29.10.2004 in LAOP.Nos.62/2003, 111/2003, 17/2003, 60/2003, 112/2003, 61/2003, 63/2003, 64/2003 and 110/2003.

For Appellant in all the Appeals	:	Mr.N.Nithianandam for Mr.Nak Sharma Sathya Rao
For R2 in all the Appeals	:	Mr.T.Chandrasekaran
For RR3 to 5 in all the Appeals	:	Mr.A.Jenasenan



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COMMON JUDGMENT

[Judgment of the Court was delivered by S.S.SUNDAR, J.,]

- (1) The above appeals have been filed by M/s.Neyveli Lignite Corporation Limited, a Public Sector Undertaking, on whose purpose, the lands belonged to the respondents/claimants were acquired. After the acquisition of lands under three different Notifications under Section 4[1] of the Land Acquisition Act, 1894, [hereinafter referred to as the Act], Award was passed fixing the Market Value at a very low price. The claimants sought for reference under Section 18 of the Act. Unfortunately, the lands acquired by Notifications issued in 1978, 1982 and 1991 were clubbed together before the Reference Court and the Reference Court determined the Market Value uniformly in all cases based on the same set of documents and the compensation was enhanced in all cases. Aggrieved by the Judgment and Decree of Reference Court enhancing the compensation, the above Appeals are filed by the Requisition Body namely M/s.Neyveli Lignite Corporation.



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- (2) It is unfortunate to notice that the claimants were deprived of their agricultural lands long back and this Court faced with a situation to remit the matter which would cause further delay. Hence, this Court suggested the possibility of settlement. Learned Standing Counsel appearing for the appellant got approval for settlement using his good office. It is represented that the claimants have withdrawn 50% of the amount as per the award of Reference Court with statutory benefits and the claimants have withdrawn 50% of the amount as per the Award of Reference Court with statutory benefits and the claimants have withdrawn the said amount. The learned counsel for the appellant was therefore, asked to find out whether the appellant can pay something more.
- (3) The learned counsel appearing for the appellant/Neyveli Lignite Corporation has given a proposal to settle all the above cases in case the respondents/claimants are agreeable to receive, in all, a sum of Rs.68,16,000/- as balance amount in addition to the amount which had already been deposited by the appellant and withdrawn by the claimants.



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(4) The learned counsel for the claimants in the above appeals submits that the claimants/respondents wanted further negotiation, pursuant to which the learned counsel for the appellant has agreed and reported before this Court that the appellant is willing to pay the balance amounts to the respective claimants in the Appeals as indicated in the following Table:-

Sl.No.	Appeal Suit	Amount in Rs.
1	AS.No.129/2006	8,00,000/-
2	AS.No.130/2006	5,00,000/-
3	AS.No.131/2006	10,00,000/-
4	AS.No.132/2006	50,000/-
5	AS.No.133/2006	1,00,000/-
6	AS.No.144/2006	20,00,000/-
7	AS.No.145/2006	5,00,000/-
8	AS.No.146/2006	6,00,000/-
9	AS.No.147/2006	3,00,000/-

(5) The learned counsel appearing for the claimants has reported that his clients have agreed to the above proposal and therefore, the above Appeal Suits may be disposed of in accordance with the terms indicated above.



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(6) Accordingly, the Appeal Suits are disposed of in the following lines:-

(a) The appellant/Lignite Corporation shall pay the following amounts to the respective respondents/claimants in the corresponding appeals as indicated below:-

Sl.No.	Appeal Suit	Amount in Rs.
1	AS.No.129/2006	8,00,000/-
2	AS.No.130/2006	5,00,000/-
3	AS.No.131/2006	10,00,000/-
4	AS.No.132/2006	50,000/-
5	AS.No.133/2006	1,00,000/-
6	AS.No.144/2006	20,00,000/-
7	AS.No.145/2006	5,00,000/-
8	AS.No.146/2006	6,00,000/-
9	AS.No.147/2006	3,00,000/-

(b) The amount that is now paid to the claimants/respondents will be in full quit of their claim and the claimants/respondents or their legal representatives shall not have any other claim by way of compensation for the lands acquired from them.

(c) The entire amount calculated, shall be deposited to the credit of the proceedings in the Lower Court and the claimants/respondents are entitled to file applications for withdrawal and the amount shall be



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(d) The claimants/respondents shall file applications for such withdrawal along with the particulars of the persons and the apportionment. In case of any dispute, it is open to the Lower Court to decide the same.

(e) Since the settlement was at the instance of Court due to the peculiar facts and circumstances of these cases noticed by this Court, the amount fixed by way of compensation in the above Appeals, need not be a precedent. No costs. Consequently, connected miscellaneous petitions are closed.

[SSSRJ] [AANJ]

15.12.2022

AP

Internet : Yes

To

1. The Secretary, Corporate Office
Neyveli Lignite Corporation Limited
Neyveli 607801.
2. The Special Tahsildar
Land Acquisition [L.P]
Neyveli-2.



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S.S.SUNDAR, J.,

AND

A.A.NAKKIRAN, J.,

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