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CRP No.1218 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.04.2023

CORAM

THE HONOURABLE Dr.JUSTICE **D.NAGARJUN**

CRP No.1218 of 2023

R.Vijayalakshmi

... Petitioner

-Vs-

1. The Special Thasildhar (L.A)
Unit-III, SIPCOT,
Irrungattukottai Scheme,
Thandalam Village,
Sriperumbadur.
2. The Chairman and Managing Director,
SIPCOT (Land Acquisition) 19-Am
Rukumani Lakshmipathy Road,
Egmore, Chennai-600 008.

... Respondents

PRAYER : Civil Revision Petition filed under Article 227 of Constitution of India, praying to direct the Hon'ble Principal Subordinate Judge at Kancheepuram to take on file and number the interim application in Un-numbered I.A.SR.No.404 of 2023 in L.A.O.P.No.19 of 2021 pending on file No.404/2023 dated 09.01.2023 on the file of the Hon'ble Principal Subordinate Judge, at Kancheepuram and to decide the same on merits in accordance with law within a time frame fixed by this Court.



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For Petitioner : Mr.G.Vijayakumar
For Respondents : Mr.C.Jayaprakash
Government Advocate for R1

ORDER

Heard the learned counsel for the revision petitioner. Perused the records.

2. This Civil Revision Petition is filed questioning the return endorsement of the learned Principal Subordinate Judge, Kancheepuram in I.A.SR.No.404 of 2023 in L.A.O.P.No.19 of 2021, which is reproduced as under:-

“Affidavit of the petitioner regarding the signature of the petitioner is filed and verified but the address of the petitioner in the main petition, Aadhar Card and Cheque petition differ and the detail calculation memo after serving the other side to be filed for reference. Hence returned. Time 1 one week.”

3. The petitioner has filed cheque petition in I.A.SR.No.404 of 2023 for withdrawal of Rs.13,42,816/- deposited based on the Lok Adalat award. According to the objection, the address of the petitioner in main petition and other documents like Aadhar card etc., is different. Sofar as quantum of



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amount mentioned is concerned, the petitioner is required to explain the Court as to how the decree holder could come to the conclusion that the first respondent is liable to pay a sum of Rs.13,42,816/-. Mr.C.Jayaprakash, the learned Government Advocate has submitted that the Government has deposited a sum of Rs.13,42,816/-. He has also submitted that initially the petitioner/claimant was paid the compensation at the rate of Rs.250/- per cent. Considering the circumstances, the petitioner shall file the calculation memo as directed by the Trial Court.

4. In view of the above, this Civil Revision Petition is disposed of directing the revision petitioner to file calculation memo as directed by the learned Principal Subordinate Judge, Kancheepuram as per the return endorsement and on such filing of calculation memo, the learned Principal Subordinate Judge, Kancheepuram is directed to register I.A.SR.No.404 of 2023 in L.A.O.P.No.19 of 2021 and dispose of the same as expeditiously as possible by giving notice to the parties concerned. Registry is directed to return the original records to the counsel on record for the revision petitioner on substitution with the photo copies. There shall be no order as to costs.

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Dr.D.NAGARJUN, J.

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To

1. The Principal Subordinate Court,
Kancheepuram.

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