



W.A.No.2071 of 2023

WEB COPY

Writ Appeal No.2071 of 2023

THE HON'BLE CHIEF JUSTICE
and
P.D.AUDIKESAVALU, J.

(Order of the Court was made by the Hon'ble Chief Justice)

Heard Mr.S.Srinivasan, learned counsel for the appellant and
Mr.N.Chandrasekaran, learned Senior Counsel appearing for
Ms.M.F.Shabana, learned counsel for the first respondent.

2. The matter is being listed today under the caption "for being
spoken to".

3. On 23.08.2023, a batch of writ appeals were disposed of by
passing the following orders:

*"9. Learned Single Judge had also passed further
orders, which in our opinion would be required to be
modified. In the light of that, we pass the following
orders:*



WEB COPY



W.A.No.2071 of 2023

(i) In some of the appeals, this Court had directed the present appellant to deposit 50% of the amount of enhanced compensation, which according to the learned counsel for the appellant, has been complied with and the 50% of the amount is deposited. The 50% of the amount already deposited shall be transferred to the Court of the concerned District Judge, where the application filed by the appellants under Section 34 of the Act of 1996 is pending;

(ii) In other appeals, where the amount of 50% of the enhanced compensation amount is not deposited, the same shall be deposited by the present appellant with the concerned Court within a period of ten weeks from today (i.e., 23.08.2023);

(iii) The original petitioners are at liberty to apply for the withdrawal of the amount, which application shall be considered by the concerned District Judge, on its



W.A.No.2071 of 2023

own merits and after hearing all parties concerned, appropriate orders shall be passed;

(iv) The present appellant may also seek further orders on the stay petition before the learned District Judge;

(v) Depending upon the order, that may be passed by the learned District Judge on the application of the original petitioners for withdrawal of the amount, further steps may be taken with regard to the amount, if lying in the Court, such as to invest the same in a Nationalised Bank or otherwise.

(vi) Considering the huge amount involved, the learned District Judge, with whom the application under Section 34 of the Act of 1996 is pending, may endeavour to decide the application under Section 34 of the Act of 1996 expeditiously."



W.A.No.2071 of 2023

WEB COPY

4. Though this matter was appearing in the cause-list along with all other matters, an error has cropped up and the number of the present appeal was omitted.

5. Learned counsel for the first respondent also does not dispute that the matter was appearing in the cause-list along with all other matters.

6. In the light of that, in the order dated 23.08.2023, passed in W.A.No.1970 of 2022 & etc. batch, the number of the present matter be also recorded in the cause-title .

7. With the aforesaid observations, the mentioning is disposed of. There will be no order as to costs. Consequently, C.M.P.No.17656 of 2023 is closed.

(S.V.G., CJ.) (P.D.A.,J.)
27.09.2023

drm



WEB COPY



W.A.No.2071 of 2023

THE HON'BLE CHIEF JUSTICE
and
P.D.AUDIKEVALU, J.

(drm)

W.A.No.2071 of 2023

27.09.2023