



A.S.No.589 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.12.2023

CORAM

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

A.S.No.589 of 2017
and C.M.P.No.20055 of 2017

The Special Tahsildar,
Land Acquisition,
Adi Dravidar Welfare,
Harur.

...Appellant

-Vs-

1. V.Sunderasan
2. The District Adi Dravidar Welfare Officer,
Dharmapuri.
3. The District Collector,
Dharmapuri.

... Respondents

Prayer: First Appeal filed under Section 54 of the Land Acquisition Act praying to set aside the decree passed in LAOP.No.5 of 2008 dated 16.06.2012, on the file of the Sub Judge, Harur.

For Appellant : Mr.T.Chandrasekar
Special Government Pleader (AS)

For R1 : Mr.T.Panchatsaram
For R2 and R3 : No appearance



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JUDGMENT

This appeal suit has been filed to set aside the decree passed in LAOP.No.5 of 2008 dated 16.06.2012, on the file of the Sub Judge, Harur.

2. The appellant is the Land Acquisition Officer and the first respondent is the claimant.

3. The land owned by the claimant as well as the other lands ad-measuring 50 acres were acquired for the purpose of free-house site for Adi-dravidars. The notification under Section 4(1) of the Land Acquisition Act was issued on 10.09.1993. Thereafter, the lands were acquired for the purpose of free house site patta in favour of Adi-dravidars. The Land Acquisition Officer, by an Award dated 24.03.1995 in Award No.2/94-95, fixed a sum at Rs.14,150/- per acre. Aggrieved by the same, a reference was made under Section 18 of the Land Acquisition Act and the claimants filed a claim petition before the Trial Court. Though the claimants did not file any documents for enhancement of compensation, the Trial Court fixed the value at Rs.1,60,000/- per acre.



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4. The learned counsel for the appellant would submit that without any piece of document, unilaterally the Trial Court enhanced the compensation at Rs.1,60,000/- per acre from Rs.14,150/- per acre.

5. A perusal of records revealed that though the claimants did not produce any documents, they have been examined as C.Ws.1 and 2. They categorically deposed that the acquired land is $\frac{1}{2}$ km away from Thiruvannamalai Main Road.

6. Considering the facts and circumstances and also the market value approved over the period, the Trial Court had rightly enhanced the compensation and fixed the value at Rs.1,60,000/- per acre and awarded compensation in favour of the claimants.

7. Therefore, this Court finds no infirmity or illegality in the decree passed in LAOP.No.5 of 2008 dated 16.06.2012, on the file of the Sub Judge, Harur and this appeal suit is liable to be dismissed.



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WEB COPY 8. Accordingly, this Appeal Suit is dismissed. Consequently, connected Miscellaneous petition is closed. No costs.

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Internet: Yes

Index : Yes/No

Speaking/Non Speaking order
mn

To

1. The Sub Judge, Harur.
2. The District Adi Dravidar Welfare Officer,
Dharmapuri.
3. The District Collector,
Dharmapuri.

G.K.ILANTHIRAIYAN. J,



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