



CMP.No.21725 of 2022
in S.A.SR.No.71651 of 2022

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G.K.ILANTHIRAIYAN, J.

This petition has been filed to condone the delay of 1898 days in filing the above Second Appeal.

2. The respondents owned land to an extent of 0.87.0 Hectare (2.15 Acre) situated in S.F.No.118/3H in Vellalan Patty Village, Omalur Taluk. It was sought to be acquired for the purpose of providing free house sites to homeless Adi-Dravidars under the Tamil Nadu Acquisition of Land for Harijan Welfare Schemes Act, 1978. After issuance of notice under Section 4(1) of the Act, it was published in the Gazette on 05.01.1996. After completing all the formalities, the award has been passed on 30.01.1996 in Award No.22/95-96. Accordingly, the value of the land was fixed at Rs.95,000/- per acre. Aggrieved by the same, the claimants, namely the respondents herein, filed an application for enhancement of compensation in CMA.No.41 of 1999 on the file of the Subordinate Judge, Mettur. The said appeal was partly allowed by a judgment and decree dated 25.11.2016 by enhancing the compensation by fixing Rs.10/- per Sq.ft and the award was enhanced from Rs.2,34,888/- to Rs.11,23,848/-. So far, the enhanced compensation has not been deposited by the petitioner herein. The petitioner also failed to file an appeal in time. After 1898 days the petitioner filed this appeal.

3. A perusal of affidavit filed in support of the condone delay petition revealed that the appeal was not filed in time due to administrative reasons such as after receiving the copy of judgment and decree the same was



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forwarded to the higher authorities for obtaining sanction for filing appeal and also took various activities namely supervising Adi-Dravidar Welfare Hostels and Schools including Government Scheme.

4. It is seen that the land was acquired in the year 1996. So far, the claimants were not paid any compensation. Immediately, after acquisition the subject land were taken from the claimants. For the past 27 years, the claimants were not paid any single paise for the land acquired in the year 1996. That apart, the petitioner did not state any sufficient reason to extend each and every day for a huge delay. This Court finds no merits in the submission and this miscellaneous petition is liable to be dismissed.

5. Accordingly, the civil miscellaneous petition is dismissed.

25.01.2023

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