

CMP.No.13078 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.07.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

CMP.No.13078 of 2025

in

AS.SR.No.77948 of 2025

Revenue Divisional Officer,
Maduranthakam

... Petitioner

Vs.

1.N.Rajendran
2. R.Pratheep

Vaidegi(died)
3. Kavitha

... Respondents

Prayer: This petition has been filed under Order 41 Rule 3A of CPC pleaded to condone the delay of 609 days in filing the above appeal suit against the judgement and decree dated 22.01.2018 made in LAOP.No.1 of 2011 on the file of the Subordinate Court, Maduranthakam.

For Petitioner : Mr.R.Siddharth,
Additional Government Pleader

For Respondents : Mr.K.Govi Ganesan
for R1 to R3



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ORDER

WEB COPY Appeal is filed against the Judgement and Decree passed by the Sub Court, Maduranthakam in LAOP.No.1 of 2011 dated 28.04.2023, in respect of the land acquisition proceedings initiated in the year 1992 for the formation of East Coast Road.

2. The case has a chequered history. The notification dated 16.09.1992 culminated in passing of award on 14.09.1995 fixing Rs.250/- per cent for the land acquired. This was challenged before the Division Bench of this Court and taking note of the fact that no compensation had been paid up to 2008, the Division Bench of this Court remanded the matter for fresh adjudication, treating 2008 as the year of acquisition, and directed compensation to be assessed accordingly. Pursuant to that order, the reference Court fixed compensation at Rs.6,540/- per cent and passed its award on 28.04.2023.

3. Immediately, the land owners are filed execution petitions before the Sub Court, Maduranthakam. After notice on behalf of the State, appeared on 05.06.2024 and undertook to file Vakalat on behalf of the State. Nearly after one year, the present appeal is filed on 02.04.2025 with application to condone the delay of 609 days.



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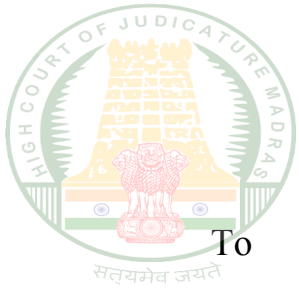
4. The land owners been deprived of their lands on 16.09.1992

when the notification was issued. Finally, an award in their favour was passed on 28.04.2023 after one round of litigation. The present appeal is filed on 02.04.2025 with delay, despite the respondents/land owners had filed execution petitions and the State was put to notice about the execution petitions.

5. Taking note of the facts and circumstances of the case and submissions by both counsel, this Court finds no merits to condone the enormous delay of 609 days without proper and satisfactory explanation and hence, this petition stands dismissed. Consequently, the connected AS.SR.No.77948 of 2025 is also closed.

21.07.2024

Vv



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To

WEB COPY

1. The Subordinate Court, Maduranthakam.
2. The Section Officer, V.R.Section, High Court, Madras.

Dr.G.JAYACHANDRAN,J.



WEB COPY



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