



A.S.No.1048 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-10-2025

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THE HONOURABLE MR.JUSTICE P.B.BALAJI

A.S.No.1048 of 2025

Tmt.Logueswary
W/o.Krishnaswamy Counder
No.75, Mariamman Koil Street
Thatthanchavady,
Puducherry-605 009.

.. Appellant

vs.

1. Union of India
Represented by the Secretary to
Government (Rev)
Puducherry

2. The Deputy Collector (Rev.) North-cum-
Land Acquisition Officer,
Puducherry.

... Respondents

PRAYER: Appeal Suit is filed under Section 54 of the Land Acquisition Act, 1894, praying to set aside the judgment in L.A.O.P.No43 of 2010 dated 28.03.2016 on the file of the learned III Additional District Court, Puducherry and fix the amount of Rs.700 per sq.ft.

For Appellant: Mr.Ramasamy Meyappan
for Pondy Law Firm



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For Respondents: Mr.P.S.Kothandaraman, GA

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JUDGMENT

Heard learned counsel for the appellant as well as learned Government Advocate for the Union Territory of Pondicherry.

2. Learned counsel for the appellant would bring to my notice that the issue, which is arising for consideration in the present appeal suit, is covered by the judgment of the Division Bench in A.S.Nos.249 & 250 of 2018. A copy of the said judgment is also furnished for my perusal. I find that the subject matter of the present appeal is also falling within the very same acquisition proceedings that were subject matter of the appeals before the Division Bench. The Division Bench after hearing the parties, enhanced the compensation amount to Rs.500 per sq.ft. The said judgment has become final as no further appeal was filed before the Hon'ble Supreme Court and the Hon'ble Division Bench has directed the payment of compensation at the rate of Rs.500/- per sq.ft. together with 30% solatium, 12% additional amount payable under Section 23(1-A) of the Act along with



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interest at 9% for the first one year from the date of taking possession and 15% thereafter, till the date of payment.

3. Learned counsel for the respondents states that there has been delay on the part of the claimants in filing the present appeal seeking enhancement and delay of 1577 days has been condoned at the specific request of the learned counsel for the respondent that such period of delay shall be excluded while calculating interest. Learned counsel also states that the appellant would have to pay necessary court fee, which is payable in respect of the award amount calculated at the rate of Rs.500/- per sq.ft., since the court fee that has been paid in the present appeal, is only at Rs.400/- per sq.ft.

4. The learned counsel for the appellant is also willing for waiver of interest for the period of delay, namely, 1577 days and also agreeable to pay the requisite court fee for the enhanced amount at the rate of Rs.500/- per sq.ft., which is payable over and above the court fee already paid.



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5. In the light of the above, A.S.No.1048 is partly allowed and the appellant is entitled to compensation at the rate of Rs.500/- per sq.ft., together with 30% solatium, 12% additional amount payable under Section 23(1-A) of the Act along with interest at 9% p.m., for the first one year from the date of taking possession and 15% p.m., thereafter, till date of payment. It is made clear that the appellant would not be entitled to interest for the period of 1577 days, which was the period of delay in preferring the present appeal and that the appellant shall also make good the deficit court fee payable by appropriate payment to the Registry. No costs.

17.10.2025

Index :Yes/No
Internet :Yes/No
Neutral citation : Yes/No
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To

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P.B.BALAJI J.

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