



WEB COPY

AS No. 872 of 1



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-04-2026

CORAM

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

AS No. 872 of 1996

The Tahsildar
Adi Dravidar Welfare,
Thirupathur

..Appellant(s)

Vs

S.Illango

..Respondent(s)

For Appellant(s): M.Murali
Government Advocate

For Respondent(s): No appearance

J U D G M E N T

The learned Government Advocate appearing for the appellant would submit that the lands have been acquired from the respondent for the purposes of providing house sites for the people belonging to Adi Dravidar community. Rs.9,000/- per acre was fixed and total compensation of Rs.46,510/- was issued to the respondent. Being aggrieved against the same, he had made a reference seeking higher compensation based upon Ex.C1.



2. He would submit that Ex.C1 was a very smaller extent of land and overlooking that the documents that were exhibited by the appellant particularly as Exs.R2 and R3. The Court below without any material evidence had arrived at a market value of Rs.3,300/- per cent and after deducting 20% towards development, had granted a sum of Rs.2,640/- per cent. According to him, reliance placed upon Ex.R1 was wholly erroneous and fixing a compensation multifold than the award without any reasons is liable to be interfered with. Hence, he seeks interference of the order of the Reference Court.

3. I have considered the submissions made by the learned Government Advocate.

4. Admittedly the lands have been acquired for the purposes of granting house sites to the members belonging to Adi Dravidar community. This itself would show that the lands that were acquired from the petitioner can be put up as a house property. Further, the findings of the Trial Court would also indicate that the property was abutting a highway travelling from Tiruppatur to Salem and also the land that was acquired is adjacent to the housing sites. Hence, the Reference Court has come to the conclusion without considering the advantageous position of the lands acquired and fixing the market value of the land by the acquiring authority was far below and had accepted Ex.C1 to come



to a conclusion that the value of the land would be Rs.3,300 per cent. The Act provides a reasonable compensation which is again to the market value of the property. When the market value of the property was claimed to be at Rs.3,300/- per cent, it is the duty of the appellant to substantiate that the market value of the claim by the claimant is disproportionate to the market value of the lands that have been acquired.

5. In the present case, the appellant even though have relied upon Exs.R1 to R3, they have not let in any oral evidence to substantiate those documents. On the other hand, the respondent has examined himself and other witness to substantiate Ex.C1.

6. In such event, this Court finds no merits in the Appeal Suit and accordingly, the Appeal Suit fails and the same is dismissed. No order as to costs.

27-04-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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K.KUMARESH BABU, J.

Maya

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