



WEB COPY

AS No. 363 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-04-2026

CORAM

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

A.S.No. 363 of 2010

Special Tahsildar,
(Land Acquisition),
BHEL Unit, Ranipet.

..Appellant(s)

Vs

Tmt.Allikulathammal Alias
Muniammal, W/o.Kannu Gounder,
Narasingapuram Village.

..Respondent(s)

Prayer: Appeal Suit filed under Section 54 of the Land Acquisition Act, praying to set aside the Judgment and Decree of the Learned Subordinate Judge of Arani in L.A.O.P.No.209 of 1987, dated the 25th day of September, 1990.

For Appellant(s): Mr.M.Murali
Government Advocate

For Respondent(s): Not ready in notice

JUDGMENT

The appeal suit has been filed against the judgment and decree dated 25.09.1990 in L.A.O.P.No.209 of 1987. The Land Acquisition Original Petition was filed seeking enhanced compensation under the Land Acquisition Act against the order of the appellant herein and the same was ordered enhancing the compensation at Rs.175/- per cent by the learned Subordinate Judge, Arani. Challenging the same, the appeal suit on hand is filed by the appellant.



2. Though, the notice was ordered in the year 2010, till today notice has not been served to the sole respondent. For the past 16 years, the appellant is unable to serve notice to the respondent despite the fact that the land acquisition original petition was contested by the respondent before the trial court. In contested matter and the judgment and decree was passed on merits by the trial court, the appellant is bound to serve notice within a reasonable period of time. However, for the past 16 years, the appellant is unable to serve notice to the respondent.

3. It is to be noted that a connected appeal suit in A.S.No.350 of 2010, for the very same reasons, was dismissed. However, the appellant had been granted liberty to seek restoration, if within a reasonable time, necessary steps to serve the respondent are taken by the appellant.

4. Therefore, this Court is also of the view that, if liberty is granted to restore the appeal suit, the appellant would be able to take necessary steps to serve notice on the respondent.



5. With the aforesaid liberty, the appeal suit stands dismissed. No costs.

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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To

1. The Subordinate Judge, Arani.

2. The Section Officer,
V.R. Section,
High Court, Madras.



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K.KUMARESH BABU, J.

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