IN THE COURT OF ADDL. DISTRICT JUDGE -1 KOTTAYAM

Present:- Sri.Sanu.S.Panicker,Addl. District Judge-I

Wednesday the 29th day of February 2024

10th day of Phalguna 1945

OP (Electricity) Nos.48/2020, 49/2020,58/2020,61/2020,120/2020,121/2020, 122/2020,05/2021,06/2021,07/2021,14/2021,17/2021,25/2021, 26/2021,27/2021,28/2021,29/2021,30/2021,31/2021,32/2021, 34/2021,35/2021,38/2021,39/2021,40/2021,43/2021,44/2021, 55/2021,56/2021,57/2021,58/2021,59/2021,60/2021,61/2021, 62/2021,98/2021,101/2021,143/2021,151/2021,30/2022, 34/2022,47/2022,77/2022,78/2022,85/2022,86/2022,89/2022 & 106/2022

OP (Electricity) No.48/2020

Petitioner:-

M.J John, S/o John,
aged 68 years,Vayalil House,
Kongandoor P O.,Kottayam.

By Adv. Stephen Chazhikattu

Respondents:-

1. Power Grid Corporation of India Ltd.,
400 KV Substation, Pallikara,
Kunnathunadu Village, Kumarapuram P O.,
Ernakulam District, Pin -683 565.

2. Special Tahasildar(LA),
Power Grid Corporation of India Ltd.,
Chavittuvary, S.H Mount P O., Kottayam-686 006.

R1 by Adv. Sunny George Chathukulam

R2 -No vakalath seen filed

OP (Electricity) No.49/2020

Petitioner:-

Jose K K. S/o Kurian, aged 65 years,
Kadavil House, Kongandoor P O., Kottayam.

By Adv. Stephen Chazhikattu

Respondents:-

1. Power Grid Corporation of India Ltd.,
400 KV Substation, Pallikara,
Kunnathunadu Village, Kumarapuram P O.,
Ernakulam District, Pin -683 565.

2. Special Tahasildar(LA),
Power Grid Corporation of India Ltd.,
Chavittuvary, S H Mount P O., Kottayam-686 006.

R1 by Adv. Sunny George Chathukulam

R2 -No vakalath seen filed

OP (Electricity) No.58/2020

Petitioner:-

Sunil Chacko, aged 45 years,S/o Chacko,
Kizhakkedathu Kunnel Thekkethil House,
Ayarkunnam PO, Ayarkunnam Village, Kottayam.

By Adv. Stephen Chazhikattu

Respondents:-

1. Kerala State Electricity Board,
represented by its Secretary, Trivandrum.

2 Special Tahasildar (LA),
General,(Power Grid), Kotttayam.

3. Power Grid Corporation of India Ltd.
   Rep. byits Managing Director,
   400 KV Substation, Pallikkara,
   Kumarapuram, Cochin - 683 565.

R1 by Adv. Deepthy S.Nath and Adv.Malavika Suresh
R2 - No vakalath seen filed
R3 by Adv. Haritha V. A

OP (Electricity) No.61/2020

Petitioner:-

Jose Mathew aged 50 years,
S/o Mathew, Valiyaparambil House,
Ayarkunnam PO, Ayarkunnam village,
Kottayam District.

By Adv. Stephen Chazhikattu

Respondents:-

1. Kerala State Electricity Board,
   represented by its Secretary, Trivandrum.

2 Special Tahasildar (LA),
  General, (Power Grid), Kotttayam.

3. Power Grid Corporation of India Ltd.
   Rep. By its Managing Director,
   400 KV Substation, Pallikkara,
   Kumarapuram, Cochin - 683 565.

R1 - No vakalath seen filed

R2 - No vakalath seen filed

R3 by Adv.Sunny George Chathukulam and Adv.Jaisy T.

OP (Electricity) No.120/2020

Petitioner:-

Joyan Cherian, aged 57 years,
S/o Cherian residing at Panthaplakal House,
Lakkattoor P O., Kooroppada Village,
Kottayam District.

By Adv. Stephen Chazhikattu

Respondents:-

1. Kerala State Electricity Board, represented by its Secretary, Trivandrum.

2 Special Tahasildar (LA), General,(Power Grid), Kotttayam.

3. Power Grid Corporation of India Ltd. Rep. byits Managing Director, 400 KV Substation, Pallikkara.

R1 by Adv. Deepthy S. Nath and Adv. Malavika Suresh
R2 - No vakalath seen filed
R3 by Adv. Sunny George Chathukulam

OP (Electricity) No.121/2020

Petitioner:-

Joyan Cherian, aged 57 years,
S/o Cherian residing at Panthaplakal House,
Lakkattoor P O., Kooroppada Village,
Kottayam District.

By Adv. Stephen Chazhikattu

Respondents:-

1. Kerala State Electricity Board,
   represented by its Secretary, Trivandrum.

2 Special Tahasildar (LA),
  General,(Power Grid), Kotttayam.

3. Power Grid Corporation of India Ltd.
   Rep. By its Managing Director,
   400 KV Substation, Pallikkara,

R1 by Adv. Deepthy S. Nath and Adv. Malavika Suresh
R2 by Adv. Satheesh.R.Nair
R3 by Adv. Sunny George Chathukulam

OP (Electricity) No.122/2020

Petitioner:-

Joyan Cherian,aged 57 years,
S/o Cherian residing at Panthaplakal House,
Lakkattoor P O., Kooroppada Village,
Kottayam District.

By Adv. Stephen Chazhikattu

Respondents:-

1. Kerala State Electricity Board,
   represented by its Secretary, Trivandrum.

2 Special Tahasildar (LA),
  General, (Power Grid), Kotttayam.

3. Power Grid Corporation of India Ltd.
   Rep. By its Managing Director,
   400 KV Substation, Pallikkara,
   Kumarapuram, Cochin, PIN 683 565.

R1 by Adv. Deepthy S.Nath and Adv.Malavika Suresh
R2 by Adv. Satheesh.R.Nair
R3 by Adv. Sunny George Chathukulam

<u>OP (Electricity) No.05/2021</u>
<u>Petitioner:-</u>

Thomas P. P. Aged 72 years,
S/o Pothen, Vattakottayil House,
(Palathadathil), Ayarkunnam P O.,
Ayarkunnam Village, Kottayam.

by Adv. Stephen Chazhikattu and Adv. Julia Stephan

<u>Respondents:-</u>

1. Kerala State Electricity Board, represented by its Secretary, Trivandrum.

2 Special Tahasildar (LA), General, (Power Grid), Kotttayam.

3. Power Grid Corporation of India Ltd. Rep. byits Managing Director, 400 KV Substation, Pallikkara, Kumarapuram, Cochin, PIN 683 565.

R1 by Adv. Deepthy S. Nath and Adv.Malavika Suresh
R2 by Adv. Satheesh R. Nair
R3 by Adv.Sunny George Chathukulam and Adv. Jaisy T.

<u>OP (Electricity) No.06/2021</u>
<u>Petitioner:-</u>

Mathai Chacko, aged 61 years,
S/o Chacko, Mampuzhakal House,
Ayarkunnam P O., Ayarkunnam Village,
Kottayam District.

By Adv. Stephen Chazhikattu and Adv. Julia Stephan

Respondents:-

1. Kerala State Electricity Board,
   represented by its Secretary, Trivandrum.

2. Special Tahasildar (LA),
   General, (Power Grid), Kotttayam.

3. Power Grid Corporation of India Ltd.
   represented by its Managing Director,
   400 KV Substation, Pallikkara,
   Kumarapuram, Cochin - 683565

R1 by Adv. Deepthy S.Nath and Adv.Malavika Suresh
R2 by Adv. Satheesh R. Nair
R3 by Adv.Sunny George Chathukulam and Adv. Jaisy.T

OP (Electricity) No.07/2021

Petitioner:-

Mathai Chacko, aged 61 years, S/o Chacko,
Mampuzhakal House, Ayarkunnam P O.,
Ayarkunnam Village, Kottayam District.

By Adv. Stephen Chazhikattu and Adv. Julia Stephan

Respondents:-

1. Kerala State Electricity Board,
   represented by its Secretary, Trivandrum.

2. Special Tahasildar (LA),
   General, (Power Grid), Kotttayam.

3. Power Grid Corporation of India Ltd.
   represented by its Managing Director,
   400 KV Substation, Pallikkara,
   Kumarapuram, Cochin - 683565

R1 by Adv. Deepthy S. Nath and Adv. Malavika Suresh
R2 by Adv. Satheesh R. Nair
R3 by Adv.Sunny George Chathukulam and Adv. Jaisy.T

OP (Electricity) No.14/2021

Petitioner:-

P. M. Mathew, aged 62 years, S/o Mathai,
Padinjarelapanikal House, Ayarkunnam P O,
Ayarkunnam Village, Kottayam District.

By Adv. Stephen Chazhikattu and Adv. Julia Stephan

Respondents:-

1. Kerala State Electricity Board,
represented by its Secretary, Trivandrum.

2. Special Tahasildar (LA),
General, (Power Grid), Kotttayam.

3. Power Grid Corporation of India Ltd.
represented by its Managing Director,
400 KV Substation, Pallikkara,
Kumarapuram, Cochin - 683 565.

R1 by Adv.Deepthy Suseela Nath
R2 by Adv. Satheesh.R.Nair
R3 by Adv.Sunny George Chathukulam and Adv.Jaisy .T

OP (Electricity) No.17/2021

Petitioner:-

Omanayamma, W/o Raveendra Panikar,
Anupa Nivas, Kottayam-1, now residing at
Ottaplakkal (Nandanathil) House, Kothala P O,
Kooroppada Village, Kottayam District.

By Adv. Stephen Chazhikattu and Adv. Julia Stephan

Respondents:-

1. Kerala State Electricity Board,
   represented by its Secretary, Trivandrum.

2. Special Tahasildar (LA),
   General, (Power Grid), Kotttayam.

3. Power Grid Corporation of India Ltd.
   represented by its Managing Director,
   400 KV Substation, Pallikkara,
   Kumarapuram, Cochin - 683 565.

R1 by Adv. Deepthy Suseela Nath
R2 - No vakalath seen filed
R3 by Adv.A Basheer

OP (Electricity) No.25/2021
Petitioner:-

Susan Kuriakose, aged 62 years,
W/o Kurian K. Kuriakose,
Behtel Chempola House, Puthenangadi P O.,
Kottayam District.

By Adv. Stephen Chazhikattu and Adv. Julia Stephan

Respondents:-

1. Kerala State Electricity Board,
   represented by its Secretary, Trivandrum.

2. Special Tahasildar (LA),
   General, (Power Grid), Kotttayam.

3. Power Grid Corporation of India Ltd.
   represented by its Managing Director,
   400 KV Substation, Pallikkara,
   Kumarapuram, Cochin - 683 565.

R1 by Adv.Deepthy Suseela Nath

R2 by Adv.Satheesh . R. Nair

R3 by Adv.Haritha V.A

OP (Electricity) No.26/2021

Petitioner:-

Sam K Kurian, S/o Kurian K. Kurian,
Aged 60 years, Chempola Bethel,
Thekkumgopuram, Kottayam,
now residing at Thekkumgopuram, Karappuzha,
Kottayam.

By Adv. Stephen Chazhikattu and Adv. Julia Stephan

Respondents:-

1. Kerala State Electricity Board,
   represented by its Secretary, Trivandrum.

2. Special Tahasildar (LA),
   General, (Power Grid), Kotttayam.

3. Power Grid Corporation of India Ltd.
   represented by its Managing Director,
   400 KV Substation, Pallikkara,
   Kumarapuram, Cochin - 683 565.

R1 by Adv.Deepthy Suseela Nath
R2 by Adv. Satheesh.R.Nair
R3 by Adv.Sunny George Chathukulam

OP (Electricity) No.27/2021

Petitioner:-

Tomy Thomas, S/o Thomas, aged 55 years,
Mekkattu House, Kooroppada P.O, Kottayam.

By Adv. Stephen Chazhikattu and Adv. Julia Stephan

Respondents:-

1. Kerala State Electricity Board, represented by its Secretary, Trivandrum.

2. Special Tahasildar (LA), General,(Power Grid), Kotttayam.

3. Power Grid Corporation of India Ltd. represented by its Managing Director, 400 KV Substation, Pallikkara, Kumarapuram, Cochin - 683565.

R1 by Adv. Deepthy Suseela Nath
R2 - No vakalath seen filed
R3 by Adv. Haritha V. A.

OP (Electricity) No.28/2021

Petitioner:-

Kurian K. Kuriakose (Kuriakose),
S/o Kurain K. Kurain, 68 years,
Bethel, Chempola, Puthanangadi P.O,
Kottayam.

By Adv. Stephen Chazhikattu and Adv. Julia Stephan

Respondents:-

1. Kerala State Electricity Board,
   represented by its Secretary, Trivandrum.

2. Special Tahasildar (LA),
   General, (Power Grid), Kotttayam.

3. Power Grid Corporation of India Ltd.
   represented by its Managing Director,
   400 KV Substation, Pallikkara,
   Kumarapuram, Cochin - 683 565.

R1 - No vakalath seen filed
R2 by Adv.Satheesh R.Nair
R3 by Adv. Haritha V. A.

OP (Electricity) No.29/2021

Petitioner:-

Tomy Thomas, S/o Thomas, 55 years,
Mekkaatu House, Kooroppada P O., Kottayam.

By Adv. Stephen Chazhikattu

Respondents:-

1. Kerala State Electricity Board,
   represented by its Secretary, Trivandrum.

2. Special Tahasildar (LA),
   General, (Power Grid), Kotttayam.

3. Power Grid Corporation of India Ltd.
   represented by its Managing Director,
   400 KV Substation, Pallikkara,
   Kumarapuram, Cochin - 683 565.

R1 by Adv.Deepthy Suseela Nath
R2 by Adv.Satheesh R. Nair
R3 by Adv.Sunny George Chathukulam

OP (Electricity) No.30/2021

Petitioner:-

Suseela Ravi @ Suseela Devi K. V,
W/o Ravi, aged 56 years, Panchami House,
(Erikattu), Thiruvankulam P.O.,
Ernakulam District, now residing at
Suseela Bhavan, Lakkattoor,
Kooroppada, Kottayam.

By Adv. Stephen Chazhikattu

Respondents:-

1. Kerala State Electricity Board,
represented by its Secretary, Trivandrum.

2. Special Tahasildar (LA),
General, (Power Grid), Kotttayam.

3. Power Grid Corporation of India Ltd.
represented by its Managing Director,
400 KV Substation, Pallikkara,
Kumarapuram, Cochin - 683 565.

R1-No vakalath seen filed

R2 by Adv. Satheesh R. Nair

R3 by Adv. Sunny George Chathukulam

OP (Electricity) No.31/2021

Petitioner:-

Sam K. Kurian, aged 60 years,
S/o Kurian K. Kurian, Bethel,
Kaithamattathu Vadakkethil,Chempola,
Thekkumgopuram, Kottayam.

By Adv. Stephen Chazhikattu and Adv. Julia Stephan

Respondents:-

1. Kerala State Electricity Board,
represented by its Secretary, Trivandrum.

2. Special Tahasildar (LA),
General, (Power Grid), Kotttayam.

3. Power Grid Corporation of India Ltd.
represented by its Managing Director,
400 KV Substation, Pallikkara,
Kumarapuram, Cochin - 683 565.

R1 by Adv. Deepthy Suseela Nath
R2 by Adv. Satheesh R. Nair
R3 by Adv. Sunny George Chathukulam

OP (Electricity) No.32/2021

Petitioner:-

Jose Francis, S/o Francis, aged 65 years,
Nanjilath House, Kooroppada P O., Kottayam.

By Adv. Stephen Chazhikattu

Respondents:-

1. Kerala State Electricity Board,
   represented by its Secretary, Trivandrum.

2. Special Tahasildar (LA),
   General, (Power Grid), Kotttayam.

3. Power Grid Corporation of India Ltd.
   represented by its Managing Director,
   400 KV Substation, Pallikkara,
   Kumarapuram, Cochin - 683 565.

R1 - No vakalath seen filed
R2 by Adv.Satheesh R. Nair
R3 by Adv.Sunny George Chathukulam

OP (Electricity) No.34/2021

Petitioner:-

Manju G. Nair, W/o Jayapal,aged 47 years,
Kulathunkal House,Lakkattoor PO,Kottayam.
Now residing Koyipurath,Madappattu.

By Adv. Stephen Chazhikattu and Adv. Julia Stephan

Respondents:-

1. Kerala State Electricity Board,
   represented by its Secretary, Trivandrum.

2. Special Tahasildar (LA),
   General, (Power Grid), Kotttayam.

3. Power Grid Corporation of India Ltd.
represented by its Managing Director,
400 KV Substation, Pallikkara,
Kumarapuram, Cochin - 683 565.

R1 -No vakalath seen filed
R2 by Adv. Satheesh R. Nair
R3 by Adv. Haritha V.A.

OP (Electricity) No.35/2021

Petitioner:-

Jose Francis, S/o Francis, aged 65 years,
Nanjilathaya Pulikkayil,
Nanjilath House,Kooroppada P.O,Kottayam.

By Adv. Stephen Chazhikattu

Respondents:-

1. Kerala State Electricity Board,
represented by its Secretary, Trivandrum.

2. Special Tahasildar (LA),
General, (Power Grid), Kotttayam.

3. Power Grid Corporation of India Ltd.
represented by its Managing Director,
400 KV Substation, Pallikkara,
Kumarapuram, Cochin - 683 565.

R1 -No vakalath seen filed

R2 by Adv.Satheesh R. Nair

R3 by Adv.Sunny George Chathukulam

OP (Electricity) No.38/2021

Petitioner:-

Benny T. Lukose, S/o Lukose, aged 50 years,
Tholanickal House, Kooroppada P O.,
Lakkattoor, Kottayam.

By Adv. Stephen Chazhikattu and Adv.Julia Stephan

Respondents:-

1. Kerala State Electricity Board, represented by its Secretary, Trivandrum.

2. Special Tahasildar (LA), General, (Power Grid), Kotttayam.

3. Power Grid Corporation of India Ltd. represented by its Managing Director, 400 KV Substation, Pallikkara, Kumarapuram, Cochin - 683 565.

R1 -No vakalath seen filed

R2 by Adv.Satheesh R. Nair

R3 by Adv.Haritha V A

OP (Electricity) No.39/2021

Petitioner:-

Jose Francis, S/o Francis, Aged 65 years,
Nanjilath House, Kooroppada P O.,Kottayam.

By Adv. Stephen Chazhikattu and Adv. Julia Stephan

Respondents:-

1. Kerala State Electricity Board,
   represented by its Secretary, Trivandrum.

2. Special Tahasildar (LA),
   General, (Power Grid), Kotttayam.

3. Power Grid Corporation of India Ltd.
   represented by its Managing Director,
   400 KV Substation, Pallikkara,
   Kumarapuram, Cochin - 683565.

   R1 -No vakalath seen filed
   R2 -No vakalath seen filed
   R3 -No vakalath seen filed

OP (Electricity) No.40/2021

Petitioner:-

Thresiakutty, W/o Tomy Thomas, Aged 53 years,
Mekkattu House, Kooroppada P O., Kottayam.

By Adv. Stephen Chazhikattu and Adv.Julia Stephan

Respondents:-

1. Kerala State Electricity Board,
   represented by its Secretary, Trivandrum.

2. Special Tahasildar (LA),
   General, (Power Grid), Kotttayam.

3. Power Grid Corporation of India Ltd.
   represented by its Managing Director,
   400 KV Substation, Pallikkara,
   Kumarapuram, Cochin - 683 565

R1 -No vakalath seen filed
R2 -No vakalath seen filed
R3 -No vakalath seen filed

OP (Electricity) No.43/2021

Petitioner:-

Saji Joseph, aged 44 years, S/o Joseph,
Poovakulam House, Kooroppada P O., Kottayam.

By Adv.Stephen Chazhikattu and Adv.Julia Stephan

Respondents:-

1. Kerala State Electricity Board,
represented by its Secretary, Trivandrum.

2. Special Tahasildar (LA),
General, (Power Grid), Kotttayam.

3. Power Grid Corporation of India Ltd.
represented by its Managing Director,
400 KV Substation, Pallikkara,
Kumarapuram, Cochin - 683 565.

R1 by Adv.Deepthy Suseela Nath and Adv.Malavika Suresh
R2 by Adv. Satheesh R. Nair
R3 by Adv. Haritha V.A.

OP (Electricity) No.44/2021

Petitioner:-

Annamma Joseph,aged 75 years, W/o Joseph,
Poovakulam House, Kooroppada P O., Kottayam.
By Adv. Stephen Chazhikattu and Adv. Julia Stephan

Respondents:-

1. Kerala State Electricity Board,
   represented by its Secretary, Trivandrum.

2. Special Tahasildar (LA),
   General, (Power Grid), Kotttayam.

3. Power Grid Corporation of India Ltd.
   represented by its Managing Director,
   400 KV Substation, Pallikkara,
   Kumarapuram, Cochin - 683 565.

R1 by Adv.Deepthy Suseela Nath and Adv. Malavika Suresh
R2 by Adv. Satheesh R. Nair
R3 by Adv. Haritha V.A.

OP (Electricity) No.55/2021

Petitioner:-

Babu P.J., aged 50 years,
S/o Joseph, Poovakulam House,
Kooroppada P O., Kottayam.

By Adv. Stephen Chazhikattu and Adv. Julia Stephan

Respondents:-

1. Kerala State Electricity Board,
   represented by its Secretary, Trivandrum.

2. Special Tahasildar (LA),
   General,(Power Grid), Kotttayam.

3. Power Grid Corporation of India Ltd.
represented by its Managing Director,
400 KV Substation, Pallikkara,
Kumarapuram, Cochin - 683 565.

R1 by Adv.Deepthy Suseela Nath
R2 by Adv.Satheesh R. Nair
R3 by Adv.Haritha V.A.

OP (Electricity) No.56/2021

Petitioner:-

C.C. Ulahannan, S/o Chacko,
Aged 81 years, Chirayil House,
Kooropada P O,Kottayam.

By Adv. Stephen Chazhikattu and Adv. Julia Stephan

Respondents:-

1. Kerala State Electricity Board,
represented by its Secretary, Trivandrum.

2. Special Tahasildar (LA),
General, (Power Grid), Kotttayam.

3. Power Grid Corporation of India Ltd.
represented by its Managing Director,
400 KV Substation, Pallikkara,
Kumarapuram, Cochin - 683 565.

R1 by Adv. Deepthy Suseela Nath

R2 -No vakalath seen filed

R3 by Adv.Sunny George Chathukulam

OP (Electricity) No.57/2021

Petitioner:-

Sminu Yohannan, aged 63 years,
S/o Yohannan, Kannakattu House,
Lakkattoor P. O., Kottayam.

By Adv. Stephen Chazhikattu and Adv. Julia Stephan

Respondents:-

1. Kerala State Electricity Board,
   represented by its Secretary, Trivandrum.

2. Special Tahasildar (LA),
   General, (Power Grid), Kotttayam.

3. Power Grid Corporation of India Ltd.
   represented by its Managing Director,
   400 KV Substation, Pallikkara,
   Kumarapuram, Cochin - 683565.

R1 by Adv.Deepthy Suseela Nath
R2 by Adv.Satheesh R. Nair
R3 by Adv.Sunny George Chathukulam

OP (Electricity) No.58/2021

Petitioner:-

Sminu Yohannan, aged 63 years,
S/o Yohannan, Kannakattu House,
Lakkattoor P.O., Kottayam.

By Adv.Stephen Chazhikattu and Adv.Julia Stephan

Respondents:-

1. Kerala State Electricity Board, represented by its Secretary, Trivandrum.

2. Special Tahasildar (LA), General, (Power Grid), Kotttayam.

3. Power Grid Corporation of India Ltd. represented by its Managing Director, 400 KV Substation, Pallikkara, Kumarapuram, Cochin - 683565.

R1 by Adv.Deepthy Suseela Nath and Adv. Malavika Suresh
R2 by Adv.Satheesh R. Nair

R3 by Adv.Sunny George Chathukulam

OP (Electricity) No.59/2021

Petitioner:-

Sminu Yohannan, aged 63 years,
S/o Yohannan, Kannakattu House,
Lakkattoor P O., Kottayam.

By Adv.Stephen Chazhikattu and Adv.Julia Stephan

Respondents:-

1. Kerala State Electricity Board, represented by its Secretary, Trivandrum.

2. Special Tahasildar (LA), General, (Power Grid), Kotttayam.

3. Power Grid Corporation of India Ltd.
represented by its Managing Director,
400 KV Substation, Pallikkara,
Kumarapuram, Cochin - 683565.

R1 by Adv. Deepthy Suseela Nath
R2 by Adv. Satheesh R. Nair
R3 by Adv. Sunny George Chathukulam

OP (Electricity) No.60/2021

Petitioner:-

Kurian, aged 73 years, S/o Ouseph,
Nedumanpuzha House, (Karikolil),
Vadakkenirappu P O., Njeezhoor Village,
Kottayam District.

By Adv. Stephen Chazhikattu and Adv. Julia Stephan

Respondents:-

1. Power Grid Corporation of India Ltd. (PGCIL)
Represented by its Authorized Officer,
400KV Substation, Kumarapuram P O.,
Pallikkara-683565.

2. The Secretary to Government,
Energy Department of Power,
Government Secretariat,
Thiruvananthapuram- 695 001.

3. Kerala State Electricity Board (KSEB),.
Vydyuthi Bhavan, Pattam,
Thiruvananthapuram-695 004.

4. Special Tahasildar (LA),
   Power Grid Corporation of India Ltd.,
   Chavittuvary, S H Mount P O.,
   Kottayam-686 006.

R1 by Adv.Sunny George Chathukulamto
R2 and R3- No vakalath seen filed
R4 by Adv. Satheesh R. Nair

<u>OP (Electricity) No.61/2021</u>

<u>Petitioner:-</u>

Kurian, aged 73 years, S/o Ouseph,
Nedumanpuzha House, (Karikolil),
Vadakkenirappu P O., Njeezhoor Village,
Kottayam District.

By Adv. Stephen Chazhikattu and Adv. Julia Stephan

<u>Respondents:-</u>

1. Power Grid Corporation of India Ltd. (PGCIL)
   Represented by its Authorized Officer,
   400KV Substation, Kumarapuram P O.,
   Pallikkara-683 565.

2. The Secretary to Government,
   Energy Department of Power,
   Government Secretariat,
   Thiruvananthapuram- 695 001

3. Kerala State Electricity Board (KSEB),.
   Vydyuthi Bhavan, Pattam,
   Thiruvananthapuram-695 004

4. Special Tahasildar (LA),
   Power Grid Corporation of India Ltd.,
   Chavittuvary, S H Mount P O.,
   Kottayam-686 006.

R1 by Adv. Sunny George Chathukulam
R2 and R3 - No vakalath seen filed
R4 by Adv.Satheesh R.Nair and Adv.Sunny George Chathukulam

OP (Electricity) No.62/2021

Petitioner:-

V M Varghese, 64 years, S/o Mathu,
Vellappallil House, Lakkattoor P O.,
Kottayam.

By Adv.Stephen Chazhikattu and Adv.Julia Stephan

Respondents:-

1. Kerala State Electricity Board,
   represented by its Secretary, Trivandrum.

2. Special Tahasildar (LA),
   General, (Power Grid), Kotttayam.

3. Power Grid Corporation of India Ltd.
   represented by its Managing Director,
   400 KV Substation, Pallikkara,
   Kumarapuram, Cochin - 683565.

R1 by Adv. Deepthy S. Nath
R2 by Adv. Satheesh R. Nair
R3 by Adv. Sunny George Chathukulam

OP (Electricity) No.98/2021

Petitioners:-

1. Balachandran Nair, aged 55 years,
S/o Narayanan Nair, Udaya Bhavanam,
Kattampakku, Kottayam District - 686 612.
2. Geetha, aged 53 years, W/o Balachandran Nair,
Udaya Bhavanam, Kattampakku,
Kottayam District.686 612

By Adv. Stephen Chazhikattu and Adv. Julia Stephan

Respondents:-

1. Power Grid Corporation of India Ltd. (PGCIL)
Represented by its Authorized Officer,
400KV Substation, Kumarapuram P O.,
Pallikkara-683565.

2. The Secretary to Government,
Energy Department of Power,
Government Secretariat,
Thiruvananthapuram- 695001

3. Kerala State Electricity Board (KSEB),.
Vydyuthi Bhavan, Pattam,
Thiruvananthapuram-695004

4. Special Tahasildar (LA),
Power Grid Corporation of India Ltd.,
Chavittuvary, S H Mount P O.,
Kottayam-686006.

R1 by Adv.Sunny George Chathukulam
R2 and R3 No vakalath seen filed
R4 by Adv.Deepthy S. Nath

OP (Electricity) No.101/2021

Petitioner:-

Benny Joseph, aged 54 years, S/o Joseph,
Arukakkil Ozhukayil House, Vayala P.O.,
Kottayam District.

By Adv. Stephen Chazhikattu and Adv. Julia Stephan

Respondents:-

1. Power Grid Corporation of India Ltd. (PGCIL)
Represented by its Authorized Officer,
400KV Substation, Kumarapuram P O.,
Pallikkara-683565.

2. The Secretary to Government,
Energy Department of Power,
Government Secretariat,
Thiruvananthapuram- 695001

3. Kerala State Electricity Board (KSEB),.
Vydyuthi Bhavan, Pattam,
Thiruvananthapuram-695004

4. Special Tahasildar (LA),
Power Grid Corporation of India Ltd.,
Chavittuvary, S H Mount P O.,
Kottayam-686006.

R1 by Adv. Sunny George Chathukulam
R2 -No vakalath seen filed
R3 by Adv.Deepthy S. Nath
R4 - No vakalath seen filed

<u>OP (Electricity) No.143/2021</u>

<u>Petitioner:-</u>

Ajayakumar T. K., aged 50 years,
S/o K. Damodaran,Vellakal House,
Lakkattoor P O., Kottayam.
Now residing at Ajaya Bhavan,
Kunnam Muri, Thazhakara Village,
Mavelikkara, Pin 690 108.

By Adv. Stephen Chazhikattu and Adv. Julia Stephan

<u>Respondents:-</u>

1. Power Grid Corporation of India Ltd. (PGCIL)
   Represented by its Authorized Officer,
   400KV Substation, Kumarapuram P O.,
   Pallikkara-683565.

2. The Secretary to Government,
   Energy Department of Power,
   Government Secretariat,
   Thiruvananthapuram- 695001

3. Kerala State Electricity Board (KSEB),.
   Vydyuthi Bhavan, Pattam,
   Thiruvananthapuram-695004

4. Special Tahasildar (LA),
   Power Grid Corporation of India Ltd.,
   Chavittuvary, S H Mount P O.,Kottayam-686006.

R1 by Adv. Haritha V A
R2 - No vakalath seen filed
R3 by Adv. Deepthy S. Nath
R4 - No vakalath seen filed

OP (Electricity) No.151/2021

Petitioner:-

Jose Francis, aged 65 years, S/o Francis,
Nanjillath House, Kooropada P O, Kottayam

By Adv. Stephen Chazhikattu and Adv. Julia Stephan

Respondents:-

1. Power Grid Corporation of India Ltd. (PGCIL)
Represented by its Authorized Officer,
400KV Substation, Kumarapuram P O.,
Pallikkara-683565.

2. The Secretary to Government,
Energy Department of Power,
Government Secretariat,
Thiruvananthapuram- 695001

3. Kerala State Electricity Board (KSEB),.
Vydyuthi Bhavan, Pattam,
Thiruvananthapuram-695004

4. Special Tahasildar (LA),
Power Grid Corporation of India Ltd.,
Chavittuvary, S H Mount P O.,
Kottayam-686006.

R1 by Adv. Haritha V. A.
R2 - No vakalath seen filed
R3 by Adv. Deepthy S. Nath
R4 - No vakalath seen filed

OP (Electricity) No.30/2022

Petitioner:-

Jojo, aged 54 years,S/o Joseph, residing at
Padinjare Thuruvakal Puthen Purayil,
Vempalli P O, Kadaplamattom Village,
Kottayam District, Pin-686 633.

By Adv. Stephen Chazhikattu

Respondents:-

1. Power Grid Corporation of India Ltd. (PGCIL)
Represented by its Authorized Officer,
400KV Substation, Kumarapuram P O.,
Pallikkara-683565.

2. The Secretary to Government,
Energy Department of Power,
Government Secretariat,
Thiruvananthapuram- 695001

3. Kerala State Electricity Board (KSEB),.
Vydyuthi Bhavan, Pattam,
Thiruvananthapuram-695004

4. Special Tahasildar (LA),
Power Grid Corporation of India Ltd.,
Chavittuvary, S H Mount P O.,
Kottayam-686006.

R1 by Adv. Sunny George Chathukulam
R2 - No vakalath seen filed
R3 by Adv. Deepthy S.Nath
R4 by Adv.Satheesh R.Nair

OP (Electricity) No.34/2022

Petitioner:-

T.N. Rajappan, aged 72 years, S/o Narayanan, residing at Puthuparambil House, Nagampadam P O, Kottayam District, Pin - 686,001

By Adv. Stephen Chazhikattu

Respondents:-

1. Power Grid Corporation of India Ltd. (PGCIL) Represented by its Authorized Officer, 400KV Substation, Kumarapuram P O., Pallikkara-683565.

2. The Secretary to Government, Energy Department of Power, Government Secretariat, Thiruvananthapuram- 695001

3. Kerala State Electricity Board (KSEB),. Vydyuthi Bhavan, Pattam, Thiruvananthapuram-695004

4. Special Tahasildar (LA), Power Grid Corporation of India Ltd., Chavittuvary, S H Mount P O.,Kottayam-686006.

R1 by Adv. Sunny George Chathukulam
R2 - No vakalath seen filed
R3 by Adv.Deepthy S. Nath
R4 by Adv.Satheesh R. Nair

OP (Electricity) No.47/2022

Petitioner:-

George Joseph, aged 65 years,
S/o Joseph, residing at Vathappallil House,
Kongandoor P O, Kottayam District, Pin - 686 564.

by Adv. Stephen Chazhikattu

Respondents:-

1. Power Grid Corporation of India Ltd. (PGCIL)
Represented by its Authorized Officer,
400KV Substation, Kumarapuram P O.,
Pallikkara-683565.

2. The Secretary to Government,
Energy Department of Power,
Government Secretariat,
Thiruvananthapuram- 695001

3. Kerala State Electricity Board (KSEB),.
Vydyuthi Bhavan, Pattam,
Thiruvananthapuram-695004

4. Special Tahasildar (LA),
Power Grid Corporation of India Ltd.,
Chavittuvary, S H Mount P O.,
Kottayam-686006.

R1 by Adv. Haritha V A
R2 No vakalath seen filed
R3 by Adv. Deepthy S. Nath
R4 by Adv. Satheesh R. Nair

OP (Electricity) No.77/2022

Petitioner:-

Suseela Devi, aged 65 years,
W/o Ravi,Residing at Suseela bhavan,
Lakkattoor P O, Kottayam District,
Now residing at Panchami, Irikkattu House,
Thiruvankulam P O, Ernakulam District,
Pin - 682305, Kerala State.

By Adv. Stephen Chazhikattu

Respondents:-

1. Power Grid Corporation of India Ltd. (PGCIL)
Represented by its Authorized Officer,
400KV Substation, Kumarapuram P O.,
Pallikkara-683565.

2. The Secretary to Government,
Energy Department of Power,
Government Secretariat,
Thiruvananthapuram- 695001

3. Kerala State Electricity Board (KSEB),.
Vydyuthi Bhavan, Pattam,
Thiruvananthapuram-695004

4. Special Tahasildar (LA),
Power Grid Corporation of India Ltd.,
Chavittuvary, S H Mount P O.,Kottayam-686006.

R1 - No vakalath seen filed
R2 and R4 by Adv.Satheesh R. Nair
R3 by Adv.Deepthy S. Nath

<u>OP (Electricity) No.78/2022</u>

<u>Petitioner:-</u>

K V Joseph, aged 73 years,
S/o Varghese, residing at Kattomparambil House,
Kongandoor P O,Kottayam District,Pin-686 564.

By Adv. Stephen Chazhikattu

<u>Respondents:-</u>

1. Power Grid Corporation of India Ltd. (PGCIL)
Represented by its Authorized Officer,
400KV Substation, Kumarapuram P O.,
Pallikkara-683565.

2. The Secretary to Government,
Energy Department of Power,
Government Secretariat,
Thiruvananthapuram- 695001

3. Kerala State Electricity Board (KSEB),.
Vydyuthi Bhavan, Pattam,
Thiruvananthapuram-695004

4. Special Tahasildar (LA),
Power Grid Corporation of India Ltd.,
Chavittuvary, S H Mount P O.,
Kottayam-686006.

R1 - Adv.A Basheer
R2 and R4 by Adv.Satheesh R. Nair
R3 by Adv. Deepthy S. Nath

OP (Electricity) No.85/2022

Petitioner:-

Asokan M. K., aged 55 years, S/o Kumaran,
residing at Mukalel House,
Kongandoor P O, Kottayam Districtm,Pin - 686 564

By Adv. Stephen Chazhikattu

Respondents:-

1. Power Grid Corporation of India Ltd. (PGCIL)
Represented by its Authorized Officer,
400KV Substation, Kumarapuram P O.,
Pallikkara-683565.

2. The Secretary to Government,
Energy Department of Power,
Government Secretariat,
Thiruvananthapuram- 695001

3. Kerala State Electricity Board (KSEB),.
Vydyuthi Bhavan, Pattam,
Thiruvananthapuram-695004

4. Special Tahasildar (LA),
Power Grid Corporation of India Ltd.,
Chavittuvary, S H Mount P O.,
Kottayam-686006.

R1 - No vakalath seen filed
R2 and R4 by Adv.Satheesh R. Nair
R3 by Adv. Deepthy S. Nath

OP (Electricity) No.86/2022

Petitioner:-

Saji Thomas, aged 53 years, S/o Thomas
Thundathimattathininnum Pillaveettil House,
Kongandoor P O, Kottayam Disstrict,Pin 686 564.

By Adv. Stephen Chazhikattu

Respondents:-

1. Power Grid Corporation of India Ltd. (PGCIL)
Represented by its Authorized Officer,
400KV Substation, Kumarapuram P O.,
Pallikkara-683565.

2. The Secretary to Government,
Energy Department of Power,
Government Secretariat,
Thiruvananthapuram- 695001

3. Kerala State Electricity Board (KSEB),.
Vydyuthi Bhavan, Pattam,
Thiruvananthapuram-695004

4. Special Tahasildar (LA),
Power Grid Corporation of India Ltd.,
Chavittuvary, S H Mount P O.,
Kottayam-686006.

R1 - No vakalath seen filed
R2 and R4 by Adv.Satheesh R. Nair
R3 by Adv.Deepthy S. Nath

OP (Electricity) No.89/2022

Petitioner:-

K. J. Jose, aged 70 years, S/o Joseph,
Noothananamakkalayakanipparambil House,
Mozhoor P O, Kottayam.

By Adv. Stephen Chazhikattu

Respondents:-

1. Power Grid Corporation of India Ltd. (PGCIL)
   Represented by its Authorized Officer,
   400KV Substation, Kumarapuram P O.,
   Pallikkara-683565.

2. The Secretary to Government,
   Energy Department of Power,
   Government Secretariat,
   Thiruvananthapuram- 695001

3. Kerala State Electricity Board (KSEB),.
   Vydyuthi Bhavan, Pattam,
   Thiruvananthapuram-695004

4. Special Tahasildar (LA),
   Power Grid Corporation of India Ltd.,
   Chavittuvary, S H Mount P O.,
   Kottayam-686006.

R1 by Adv. Sunny George Chathukulam
R2 and R4 by Adv.Satheesh R. Nair
R3 by Adv.Deepthy S. Nath

OP (Electricity) No.106/2022

Petitioner:-

Laisamma Varghese, aged 58 years,
D/o Varghese residing at
Vathappallil House, Kongandoor P O,
Kottayam District.

By Adv. Stephen Chazhikattu

Respondents:-

1. Power Grid Corporation of India Ltd. (PGCIL)
Represented by its Authorized Officer,
400KV Substation, Kumarapuram P O.,
Pallikkara-683565.

2. The Secretary to Government,
Energy Department of Power,
Government Secretariat,
Thiruvananthapuram- 695001

3. Kerala State Electricity Board (KSEB),.
Vydyuthi Bhavan, Pattam,
Thiruvananthapuram-695004

4. Special Tahasildar (LA),
Power Grid Corporation of India Ltd.,
Chavittuvary, S H Mount P O.,
Kottayam-686006.

R1 by Adv. A. Basheer
R2 and R4 by Adv. Satheesh R. Nair
R3 by Adv. Deepthy S. Nath

These petitions having been finally heard on 27.01.2024 and the court on 29.02.2024 delivered the following

C O M M O N O R D E R

Heard both sides

Perused the records.

2. The above petitions were filed u/s 10 to 16 of the Indian Telegraph Act r/w.S.51 of the Indian Electricity Act and S.42 of the Electricity (Supply) Act.

3. Mr Stephen Chazhikkadan, the learned counsel appearing for the petitioners argued that the petitioners are the owners in possession and enjoyment of immovable properties over which 400 KV, electric transmission line was drawn by the respondents in connection with a transmission project named Edamon – Cochin. He further submitted that, on account of the drawing of electric line and the erection of electric towers, the market value of the properties of the petitioners in its entirety has been substantially reduced. He further contended that the properties are situated in developed areas, but they were given only a meager amount as compensation. He further

asserted that in connection with the project, several yielding trees and valuable timbers were cut and removed from the properties of the petitioners, but no adequate compensation was given to them. Hence the petitions.

4. Mr. Sunny George Chathukulam, Mr.Satheesh R. Nair & Mrs. Deepthi S. Nath, the learned government pleader and the learned advocates appearing for the respondents contended that the compensation awarded to the petitioners was adequate and sufficient, which was in accordance with an accepted standard and the market value prevailing in those areas at the relevant time. They further asserted that since the transmission lines were drawn over a height of about 36 to 44 meters, it would not affect the agricultural operations as apprehended by the petitioners and therefore they contended that the petitioners are not entitled to get any enhancement of compensation as claimed by them.

5. The trial of above said 47 cases was consolidated by this court as per order in I.A.No.1/2022, in O.P. No.48/2020, dated 09.12.2022.

6. From the rival contentions and submissions, the following common points arise for consideration: -

1) Whether the petitioners are entitled to get any additional compensation as claimed by them?

2) Reliefs and costs.

7. The evidence consists of an oral testimony PW1, PW2, Ext.A1 to Ext.A23 and Exts.B1 to B226 documents.

Common Observations

8. Needless to say that the property right of the petitioners is not only a legal and human right, but also a constitutional right guaranteed under Article 300(A) of the Constitution of India, but at the same time, the law authorizes the government to use/acquire private land for public purposes, however the owner of the property should not be exploited or abused without providing adequate and sufficient compensation for the same. Needless to say that the present project is intended to provide an electricity for public purposes and it can’t be implemented without any co-operation and help of the public including the petitioners. It is of no doubt that on account of the drawal of the electric transmission line, the value of the property and its utility would be reduced, but that alone is not a reason to award actual market value of the property as contended by the petitioners for the following reasons: It is to be noted that in the present case, I have personally visited the properties along with Sunny George Chathukulam, the learned counsel appearing for the Power grid Corporation, Mr. Satheesh R. Nair, the learned Government Pleader and Mr.Stephen Chazhikkadan, the learned counsel appearing for the petitioners to see the height of the line and also to understand whether any type of cultivation is possible under the central corridor and also on either side of the central corridor. During my visit, I have noticed the height of the electric line passes through the property of some of the petitioners to ascertain whether any cultivation is possible under it, or not. Having considered the height of the line drawn over the properties, I am satisfied that several cultivations such as coco, plantain, tapioca, Chena, Chembu etc are easily possible and I have noticed several such cultivations in some of the property of the petitioners,but one thing to be noted that when the transmission lines passes over the property of the petitioners, it would definitely affect the market value of the “entire extent of property” even if the line passes over some part of the property and therefore, I am of the perception that while awarding compensation for the “diminution in value of the property”, the aforesaid aspect has to be considered. It is to be noted that, as per the government order dated 31.08.2016, the government has arrived at a decision to grant ex-gratia payment for the 16 meter central corridor and also the “displacement allowances” for the outer corridor where trees are cut and removed, apart from granting 100% of the land value as compensation for the tower area. It is true that the court is not bound to be governed by the government orders which are issued in connection with the project for determining adequate compensation, but the decision arrived at by the government official after necessary study cannot also be fully discarded. It is to be noted that the awarding of excess amount of compensation or awarding full amount of market value as compensation would also be adversely affect the financial viability of the project.

9. Let me first find out the approximate market value of the property for awarding compensation for the diminution in potential value of the property. Needless to say that the importance of the locality where the property situates, its road access, yielding etc. are the relevant consideration for determining market value of the property,but in the present case, apart from the statement of the petitioners, there is absolutely no other evidence available on record except Ext.A2 & A7 sale deeds to assess the approximate market value of the property. It is to be noted that, on going by the fair value of the land recently fixed by the government, it can be seen that in many areas, the fair value is equal to the actual market value, but in some areas, market value is equal to three or four times of the fair value. Having considered the above all facts and circumstances of the case, and further taking note of the comparison of the market value as reflected from Ext A2 and A7 title deeds along with four

times of the fair value fixed by the Government , I am of the perception that in order to give a fair and adequate compensation to the petitioners,*four times of the fair value of the land fixed by the government in those areas is to be taken as approximate market value of the property for the purpose of calculation of diminution in market value of the property and, then 50% of the said market value arrived by this court is to be given as compensation for the diminution in potential value of the property and its restrictive use in respect of 16 meters central corridor. It is to be noted that this court has arrived 50 % of the market value as compensation for the following specific reasons. (a) It is pertinent to note that the petitioners are not fully debarred from making any suitable cultivation even under the central corridor leaving a statutory clearance and therefore, according to me, the real grievance of the petitioner is the reduction of potential market value of the entire extent of the land and sometimes the financial institution may not accept the said property as security for the loan transaction as* *argued by the learned counsel for the petitioners. Taking note of the above all aspects, I am of the view that 40 % of the market value should be given as compensation for the reduction in potential market value of the extent of property over which 16 meter central line passes and 10 % of the market value should also be given for the restrictive use of the land and therefore, when both come together, the petitioner should be given 50 % of the market value of the land as compensation.* At the hearing Mr. Stephen Chazhikkadan, the learned counsel for the petitioners submitted that the petitioners do not have any claim for compensation for the outer corridor as they have accepted the extent of the affected area determined by the respondents in DVS and therefore, I am of the view that displacement allowance which is a part of compensation package already awarded to the petitioners is sufficient to compensate for the restrictive use of outer corridor, if any, ie on either side of the central corridor area. I order accordingly.

10. As regards the determination of compensation for the yielding tree is concerned, it is to be noted that a lot of investment of money, time, and efforts are required for making cultivation. Further, the cultivators need to wait several years with a struggle to get income from the cultivation, and therefore it is very harsh to see that when the cultivation is ready to get yield, it is being cut and removed. Taking note of the above all facts and circumstances of the case, I am of the view that the petitioners deserve approximate compensation for the loss of yeilding.

11. As regards the interest for enhancement of compensation and the litigation costs are concerned, I am of the view that the petitioners are entitled to get 7% of interest per annum for the enhanced amount. See the decision of the Hon'ble Apex court in **KSEB v. Maranchi Matha (2008 (1) KLT 1038**. The petitioners are also entitled to get proportionate costs for the litigation.

12 (i). OP(E) No.48/2020 : The petitioner is the owner in possession and enjoyment of the property comprised in resurvey No. 199/4, 199/3, 199/2 respectively of Ayarkunnam Village, over which high tension electric line was drawn by the respondents. The DVS produced by the respondents would go to show that the affected area in OP(E) 48/2020 is an extent of **4.70** areas. No contra evidence is available as record to show otherwise. Therefore, I am of the view that the affected area as measured out by the respondents will have to be accepted. Hence as per the fair value fixed by the government as per Ext.B5, the petitioner is entitled to get an amount of **Rs.11,28,000/-** (1,20,000 x4x4.70x 50%) as compensation for the diminution in value of the land and its restrictive use. I order accordingly. The compensation already awarded and given to the petitioner under this head is liable to be deducted.

(ii). As regards the compensation for the trees which were cut and removed from the property of the petitioner is concerned, it is to be noted that as per Ext.B2 mahazar, it seems that Teak trees 69, Anjili trees -8, Mahagoni trees -6, Jathi trees -2, Jungle trees -2, jack fruit trees -2, Arecanut trees -2 were cut and removed from the property of the petitioner, which is also reflected from Ext.B3 DVS. It is to be noted that the timbers which were cut and removed were entrusted to the petitioner, who might have sold those valuable trees and got some amount by its sale proceeds. Having considered my bestowed consideration to the above all aspects especially taking note of the age of the trees which are cut and removed from the property of the petitioner, I am of the view that the excess amount stated in the column mentioned below can be awarded for each trees. I order accordingly.

(iii) Table

Sl. No.	Description of trees	No. of trees	Age (years)	Compensation paid	Compensation Awarded	Excess amount awarded for each tree.
1	Teak	32	50	128000	192000	32x 6000
2	Teak	18	50	72000	108000	18x6000
3	Teak	19	50	76000	114000	19x6000
4	Anjili	5	30	12000	25000	5x5000
5	Anjili	3	20	4800	15000	3x5000
6	Mahagani	6	15	7200	12000	6x2000
7	Jathi	2	10	24000	24000	Nil
8	Jungle tree	2	15	1050	1050	Nil
9	Jack fruit	2	5	40000	40000	Nil
10	Arecanut	2	10	4882.27	4882.27	Nil
	Total			369932.27	535932.27	

(v) Thus, the petitioner is entitled to get a total compensation of **₹5,35,932/-** for the value of trees. The compensation already awarded and given to the petitioner under this head is liable to be to be deducted.

In the result, **OP(E)No.48/2020 is disposed of as follows:**

2) Directing the respondents concerned to pay a sum of ₹**16,63,932/-, (Rupees Sixteen Lakhs Sixty Three Thousand Nine Hundred and Thirty Two only),** together with interest at the rate of 7% per annum, from the date of petition till its realization, with proportionate costs of the petitioner. The amount already awarded and paid by the respondents shall be deducted from the above said amount. The interest is ordered to be calculated for the excess amount awarded as per this order.

13(i). OP(E) No.49/2020 : The petitioner is the owner in possession and enjoyment of the property comprised in resurvey No. 199/8 & 199/9 respectively of Ayarkunnam village, over which high tension electric line was drawn by the respondents. The DVS produced by the respondents would go to show that the affected area in OP(E) 49/2020 is an extent of **6.70** ares. No contra evidence is available as record to show otherwise. Therefore, I am of the view that the affected area as measured out by the respondents will have to be accepted. Hence as per the fair value fixed by the government as per Ext.B9, the petitioner is entitled to get an amount of **Rs.16,08,000/-** (1,20,000 x4x6.70x 50%) as compensation for the diminution in value of the land and its restrictive use. I order accordingly. The compensation already awarded and given to the petitioner under this head is liable to be deducted.

(ii). As regards the compensation for the trees which are cut and removed from the property of the petitioner is concerned, it is to be noted that as per Ext. B7 Mahazar prepared by the officials, Arecanut- 4, Coconut-8, Anjili-11, Mahagani-12, Vatta-7, Teak-4 Jungle-2, Mullatha-1, Muringa-3, Kudampuli-1, Pappaya-2, Jack fruit tree-1, Rambuttan-1, Pepper- 27, Mahagani Sappling-5, Muringa sappling-2, Vatta Sappling-7 were cut and removed from the property of the petitioner which is also reflected from Ext.B8 DVS. It is to be noted that the timbers which were cut and removed were entrusted to the petitioner, who might have sold those valuable trees and got some amount by its sale proceeds. Having considered my bestowed consideration to the above all aspects especially taking note of the age of the trees which are cut and removed from the property of the petitioner, I am of the view that the excess amount stated in the column mentioned below can be awarded for each trees. I order accordingly.

(iii) Table

Sl. No.	Description of trees	No. of trees	Age (years)	Compensation paid	Compensation Awarded	Excess amount awarded for each tree
1	Arecanut	4	12	17358.74	17358.74	Nil
2	Coconut	8	18	192167.77	192167.77	Nil
3	Aatha	1	6	800	800	Nil
4	Kudampuli	1	25	42000	42000	Nil
5	Pappaya	2	1	6000	6000	Nil
6	Jack fruit Tree	1	6	360	360	Nil
7	Pepper	27	10	47848.68	47848.68	Nil
8	Muringa	2	8	8000	8000	Nil
9	Anjili	6	50	24000	30000	6x5000
10	Anjili	1	40	3200	5000	1x5000
11	Anjili	2	30	4800	10000	2x5000
12	Anjili	2	25	4000	10000	2x5000
13	Mahagoni	11	12	10560	22000	11x2000
14	Vatta	4	15	2100	2100	Nil

15	Vatta	3	10	1050	1050	Nil
16	Jungle tree	2	25	1750	1750	Nil
17	Mahagoni	5	3	1200	1200	Nil
18	Muringa(n.y)	2	2	240	240	Nil
19	Vatta	7	4	980	980	Nil
20	Teak	1	10	800	3000	1x3000
21	Teak	1	20	1600	6000	1x6000
22	Teak	1	15	1200	3000	1x3000
23	Teak	1	12	960	3000	1x3000
	Total			372975.19	413855.19	

(vi) Thus, the petitioner is entitled to get a total compensation of **₹4,13,855/-** for the value of trees and expected yields. The compensation already awarded and given to the petitioner under this head is liable to be to be deducted.

In the result, <u>OP(E)No.49/2020 is disposed of as follows:</u>

2) Directing the respondents concerned to pay a sum of **₹20,21,855/-, (Rupees Twenty Lakhs Twenty one Thousand Eight hundred and Fifty Five only),** together with interest at the rate of 7% per annum, from the date of petition till its realisation, with proportionate costs of the petitioner. The amount already awarded and paid by the respondents shall be deducted from the above said amount and interest is to be calculated for the excess amount awarded as per this order.

14(i). <u>OP(E) No.58/2020 :</u> The petitioner is the owner in possession and enjoyment of the property comprised in resurvey No.426/7-3-2 & 426/7-3 respectively of Ayarkunnam village, over which high tension electric line was drawn by the respondents. The DVS produced by the respondents would go to show that the affected area in OP(E) 58/2020 is an extent of **7.27** ares. No contra evidence is available as record to show otherwise. Therefore, I am of the view that the affected area as measured out by the respondents will have to be accepted. Hence as per the fair value fixed by the government as per Ext.B14, the petitioner is entitled to get an amount of **Rs.14,54,000/-** (1,00,000 x4x7.27x 50%) as compensation for the diminution in value of the land and its restrictive use. I order accordingly. The compensation already awarded and given to the petitioner under this head is liable to be deducted.

(ii). As regards the compensation for the trees which are cut and removed from the property of the petitioner is concerned, it is to be noted that as per Ext.B12 mahazar prepared by the official, it seems that Rubber- 36, Coconut- 3, Anjili-2, Jack fruit tree-1, Mahagani-2, Coffee-25 were cut and removed from the property of the petitioner which is also reflected from Ext.B12 DVS also.

(iii) As regards the determination of compensation for yielding rubber trees is concerned, it is to be noted that a rubber tree would normally begin yielding from its 7th year. An average, conventional rubber tree would give yield around 8 to 10 kg of latex for a minimum period of 20 years. Hence, the average yield from the a tree can be fixed as 9 litres of latex a year. In the absence of any independent proof the highest, net return value, specified in Ext.B12 DVS ie., Rs.126/- can be taken as the prevailing market price. One-third of the income generated from the rubber trees can be deducted towards the expenses incurred. Since the trees cut and removed were only **14** years of age, a multiplier **6** can be fixed for calculating the compensation, and therefore the petitioner is entitled to get Rs.**1,63,296/-** (36 x 126 x 9 x 6 x 2/3) as compensation for the loss of yielding of rubber trees, cut and removed. It is also to be noted that the timber which were cut and removed were entrusted to the petitioner, who might have sold those valuable trees and got some amount by way of its sale. Having considered my bestowed consideration to the above all aspects especially taking note of the age of the trees cut and removed. I am of the view that the excess amount mentioned in the table referred below can be awarded for each trees. I order accordingly.

(vi) <u>Table</u>

Sl. No.	Description of trees	No. of trees	Age (years)	Compensation paid	Compensation Awarded	Excess amount awarded for each tree
1	Rubber	36	14	112065.02	163296	36 x 126 x 9 x 6 x 2/3
2	Coconut	3	20	53839.07	53839.07	Nil
3	Anjili	1	30	2400	5000	1x5000
4	Anjili	1	20	1600	5000	1x5000
5	Jackfruit tree	1	16	10000	10000	Nil
6	Mahagoni	2	16	2560	4000	2x2000
7	Coffee	25	8	13206.07	13206.07	Nil
	Total			195670.16	254341.14	

(vii) Thus, the petitioner is entitled to get a total compensation of **₹2,54,341/-** for the value of trees and expected yields. The compensation already awarded and given to the petitioner under this head is liable to be to be deducted.

In the result, **<u>OP(E)No.58/2020 is disposed of as follows:</u>**

2) Directing the respondents concerned to pay a sum of **₹17,08,341/-, (Rupees Seventeen Lakhs Eight Thousand Three hundred and Forty one only),** together with interest at the rate of 7% per annum, from the date of petition till its realisation, with proportionate costs of the petitioner. The amount already awarded and paid by the respondents shall be deducted from the above said amount. The interest is ordered to be calculated for the excess amount awarded as per this order.

15(i). <u>OP(E) No.61/2020 :</u> The petitioner is the owner in possession and enjoyment of the property comprised in resurvey No. 427/10,427/7-1 & 427/9 respectively of Ayarkunnam village, over which high tension electric line was drawn by the respondents. The DVS produced by the respondents would go to show that the affected area in OP(E) 61/2020 is an extent of **6.38** ares. No contra evidence is available as record to show otherwise. Therefore, I am of the view that the affected area as measured out by the respondents will have to be accepted. Hence as per the fair value fixed by the government, the petitioner is entitled to get an amount of **Rs.12,76,000/-** (1,00,000 x4x6.38x 50%) as compensation for the diminution in value of the land and its restrictive use. I order accordingly. The compensation already awarded and given to the petitioner under this head is liable to be deducted.

(ii). As regards the compensation for the trees which are cut and removed as per Ext.B16 mahazar prepared by the official, it seems that Pepper-10, Teak- 2, Vatta-5, Rubber-5, Mahagani-3, Jungle-2, Pappaya-2, Anjili-14, Coconut-2, Pongilyam-1, Kudampuli-1, Jack fruit tree-1, Coffee plant-40 were cut and removed from the property of the petitioner which is also reflected from Ext.B16 DVS also.

(iii) As regards the determination of compensation for yielding rubber trees is concerned, it is to be noted that a rubber tree would normally begin yielding from its 7^{th}

year. An average conventional rubber tree would give yield around 8 to 10 kg of latex for a minimum period of 20 years. Hence, the average yield from the a tree can be fixed as 9 litres of latex a year. In the absence of any independent proof the highest net return value, specified in Ext.B17 DVS ie., Rs.126/- can be taken as the prevailing market price. One-third of the income generated from the rubber trees can be deducted towards the expenses incurred. Since the trees cut and removed were only **14** years of age, a multiplier **6** can be fixed for calculating the compensation, and therefore the petitioner is entitled to get Rs.**22,680/-** (5 x 126 x 9 x 6 x 2/3) as compensation for the loss of yielding of rubber trees, cut and removed. It is to be noted that the timbers which were cut and removed were entrusted to the petitioner, who might have sold those valuable trees and got some amount by way of its sale. Having considered my bestowed consideration to the above all aspects especially taking note of the age of the trees which were cut and removed from the property of the petitioner, I am of the view that the excess amount stated in the column mentioned below can be awarded for each trees. I order accordingly.

(iv) Table

Sl. No.	Description of trees	No. of trees	Age (years)	Compensation paid	Compensation Awarded	Excess amount awarded for each tree
1	Kudampuli	1	30	63000	63000	Nil
2	Pepper	10	7	31201.54	31201.54	Nil
3	Teak	2	16	2560	6000	2x3000
4	Vatta	2	17	1190	1190	Nil
5	Vatta	3	15	1575	1575	Nil
6	Rubber	5	14	15457.24	22680	5 x 126 x 9 x 6 x 2/3
7	Mahagani	2	12	1920	4000	2x2000
8	Mahagani	1	30	2400	5000	5000
9	Jungle Tree	1	25	875	875	Nil
10	Jungle Tree	1	15	525	525	Nil
11	Pappaya	2	1	4500	4500	Nil
12	Anjili	6	20	9600	30000	6x5000
13	Anjili	3	30	7200	15000	3x5000
14	Anjili	1	30	2400	5000	1x5000
15	Anjili	3	10	2400	2400	Nil
16	Coconut	2	20	47855.98	47855.98	Nil
17	Jack Fruit	2	15	60000	60000	Nil
18	Coffee	40	10	31623.24	31623.24	Nil
19	Perumaram	1	15	525	525	Nil
	Total			286808	332950.76	

(v) Thus, the petitioner is entitled to get a total compensation of **₹3,32,951/-** for the value of trees and expected yields. The compensation already awarded and given to the petitioner under this head is liable to be to be deducted.

In the result, **<u>OP(E)No.61/2020 is disposed of as follows:</u>**

2) Directing the respondents concerned to pay a sum of **₹19,41,902/-, (Rupees Nineteen Lakhs Forty One Thousand Nine Hundred and Two only),** together with interest at the rate of 7% per annum, from the date of petition till its realisation, with proportionate costs of the petitioner. The amount already awarded and paid by the respondents shall be deducted from the above said amount and interest is to be calculated for the excess amount awarded as per this order.

16 (i). <u>OP(E) No.120/2020 :</u> The petitioner is the owner in possession and enjoyment of the property comprised in resurvey No. 98/3-2-1 of Kooroppada Village over which high tension electric line was drawn by the respondents. The DVS produced by the respondents would go to show that the affected area in OP(E) 120/2020 is an extent of **3.12** ares. No contra evidence is available as record to show otherwise. Therefore, I am of the view that the affected area as measured out by the respondents will have to be accepted.Hence as per the fair value fixed by the Government as per Ext.B24, the petitioner is entitled to get an amount of **Rs.2,49,600/-** (40,000 x4x3.12x 50%) as compensation for the diminution in value of the land and its restrictive use. I order accordingly. The compensation already awarded and given to the petitioner under this head is liable to be deducted.

(ii). As regards the compensation for the trees which are cut and removed from the property of the petitioner is concerned, it is to be noted that as per Ext.B22 mahazar, it seems that Teak-1, Rubber-54, Anjili-2, Coconut-2, Vatta-1, Pana sappling-6, Jack fruit Sapping-1 were cut and removed from the property of the petitioner which is also reflected from Ext.B22 DVS also.

(iii) As regards as yielding of the trees is concerned, it is to be noted that a rubber tree would normally begin yielding from its 7th year. An average conventional rubber tree would yield around 8 to 10 kg of latex a year for a minimum period of 20 years. Hence, the average yield from the trees can be fixed as 9 litres of latex a year. In the absence of any independent proof , the highest net return value specified in Ext.B22 DVS ie., Rs.126/- can be taken as the prevailing market price. One-third of the income generated from the rubber trees can be deducted towards the expenses incurred. Since the trees cut and removed were only 8 years of age, a multiplier 12 can be fixed for calculating the compensation, and therefore the petitioner is entitled to get Rs.4,89,888/- (54 x 126 x 9 x 12 x 2/3) as compensation for the loss of yielding of rubber trees, cut and removed. It is also to be noted that the timber which were cut and removed were entrusted to the petitioner, who might have sold those valuable trees and got some amount by way of its sale. Having considered my bestowed consideration to the above all aspects especially taking note of the age of the trees cut and removed. I am of the view that the excess amount mentioned in the table referred below can be awarded for each trees. I order accordingly.

(iii) **Table**.

Sl. No.	Description of trees	No. of trees	Age (years)	Compensation paid	Compensation Awarded	Excess amount awarded for each tree
1	Teak	1	35	2800	6000	1x6000
2	Rubber	54	8	207823.05	489888	54 x 126 x 9 x 12 x 2/3
3	Anjili	1	35	2800	5000	1x5000
4	Anjili	1	60	4800	5000	1x5000
5	Coconut	2	20	34736.87	34736.87	Nil
6	Vatta	1	10	350	350	Nil
7	Pana	6	4	840	840	Nil
8	Jack Fruit	1	6	360	360	Nil
	Total			254149	541814.87	

(v) Thus, I find the petitioner is entitled to get a total compensation of **₹5,41,815/-** for the value of trees and expected yields. The compensation already awarded and given to the petitioner under this head is liable to be to be deducted.

In the result, **OP(E)No.120/2020 is disposed of as follows.**

2) Directing the respondents concerned to pay a sum of **₹7,91,415/-, (Rupees Seven Lakhs Ninety One Thousand Four Hundred and Fifteen only),** together with interest at the rate of 7% per annum, from the date of petition till its realisation, with proportionate costs of the petitioner. The amount already awarded and paid by the respondents shall be deducted from the above said amount. The interest is ordered to be calculated for the excess amount awarded as per this order.

17.(i). **OP(E) No.121/2020 :** The petitioner is the owner in possession and enjoyment of the property comprised in resurvey No. 98/2-3-1 & 98/2-3-2 of Kooroppada Village over which high tension electric line was drawn by the respondents. The DVS produced by the respondents would go to show that the affected area in OP(E) 121/2020 is only to an extent of **8.37** ares (7.90+0.47). No contra evidence is available as record to show otherwise. Therefore, I am of the view that the affected area as measured out by the respondents will have to be accepted. Hence as per the fair value fixed by the government as per Ext.B29, the petitioner is entitled to get an amount of **Rs.6,69,600/-** (40,000 x4x8.37x 50%) as compensation for the diminution in value of the land and its restrictive use. I order accordingly. The compensation already awarded and given to the petitioner under this head is liable to be deducted.

(ii). As regards the compensation for the trees which are cut and removed from the property of the petitioner is concerned, it is to be noted that as per Ext.B26 mahazar, it seems that Coconut-1, Rubber-69, Anjili-20, Jack fruit tree -2, arecanut -1, Pepper -6, Pana sapling -15, anjili sapling -16, Rubber sapling -4, teak sapling -8, Vatta sapling -5, Pepper sapling -20, jack sapling -4 were cut and removed from the property of the petitioner which is also reflected from Ext.B25 DVS also.

(**iii**) As regards the determination of compensation for yielding rubber trees is concerned, it is to be noted that a rubber tree would normally begin yielding from its 7th year. An average, conventional rubber tree would give yield around 8 to 10 kg of latex for a minimum period of 20 years. Hence, the average yield from the trees can be fixed as 9 litres of latex a year.In the absence of any independent proof the highest net return value, specified in Ext.B27 DVS ie., Rs.126/- can be taken as the prevailing market price.One-third of the income generated from the rubber trees can be deducted towards the expenses incurred. Since the trees cut and removed were only **10** years of age, a multiplier **10** can be fixed for calculating the compensation, and therefore the petitioner is entitled to get Rs.**5,21,640/**- (69 x 126 x 9 x 10 x 2/3) as compensation for the loss of yielding of rubber trees, cut and removed. It is also to be noted that the timber which were cut and removed were entrusted to the petitioner, who might have sold those valuable trees and got some amount by way of its sale.Having considered my bestowed consideration to the above all aspects especially taking note of the age of the trees cut and removed. I am of the view that the excess amount mentioned in the table referred below can be awarded for each trees. I order accordingly.

(iv) Table.

Sl. No.	Description of trees	No. of trees	Age (years)	Compensation paid	Compensation Awarded	Excess amount awarded for each tree
1	Coconut	8	18	188191.89	188191.89	Nil
2	Rubber	69	10	226224.97	521640	69 x 126 x 9 x 10 x 2/3
3	Jack fruit (v)	1	30	25000	25000	Nil
4	Jack fruit (v)	1	35	35000	35000	Nil
5	Arecanut	1	18	3974.77	3974.77	Nil
6	Pepper	26	16	37302.22	37302.22	Nil
7	Anjili	3	10	2400	6000	3x2000
8	Anjili	7	28	15680	35000	7x5000
9	Anjili	4	30	9600	20000	4x5000
10	Anjili	3	38	9120	15000	3x5000
11	Anjili	3	45	10800	15000	3x5000
12	Pana	15	4	2100	2100	Nil
13	Anjili	16	4	5120	5120	Nil
14	Rubber -4	4	4	1700	1700	Nil
15	Teak	8	4	2560	2560	Nil
16	Vatta	5	4	700	700	Nil
17	Pepper(n.Y)	20	3	2400	2400	Nil
18	Jackfruit	4	4	960	960	Nil
	Total			578833.85	917649	

(v) Thus, the petitioner is entitled to get a total compensation of **₹9,17,649/-** for the value of trees and expected yields. The compensation already awarded and given to the petitioner under this head is liable to be to be deducted.

In the result, **<u>OP(E)No.121/2020 is disposed of as follows:</u>**

2) Directing the respondents concerned to pay a sum of **₹15,87,249/-, (Rupees Fifteen Lakhs Eighty Seven Thousand Two Hundred & Forty Nine only),** together with interest at the rate of 7% per annum, from the date of petition till its realisation, with proportionate costs of the petitioner. The amount already awarded and paid by the respondents shall be deducted from the above said amount. The interest is ordered to be calculated for the excess amount awarded as per this order.

<u>18.(i) OP(E) 5/2021(i):</u> The petitioner is the owner in possession and enjoyment of the property comprised in resurvey No. 90/1 of Ayarkunnam Village over which high tension electric line was drawn by the respondents. The DVS produced by the respondents would go to show that the affected area in OP(E) 5/2021 is only to an extent of **10.54**

ares. No contra evidence is available as record to show otherwise. Therefore, I am of the view that the affected area as measured out by the respondents will have to be accepted. The fair value of the land fixed by the government as per Ext.B40, the petitioner is entitled get an amount of **Rs.21,08,000/-** (100000 x4x10.54x 50%) as compensation for the diminution in value of the land and its restrictive use. I order accordingly. The compensation already awarded and given to the petitioner under this head is liable to be deducted.

(ii). As regards the compensation for the trees which are cut and removed from the property of the petitioner is concerned, it is to be noted that as per Ext.B37 mahazar, it seems that Pepper-97, Pana -5, Mahagani-62, Pongiliyam - 18, Teak-11, Anjili-31,Coconut-17, Jack fruit tree-5,Jungle-16, Rubber - 39, Vatta - 14, Mango - 1, Coffee - 40, Coffee sappling - 632, Vatta sappling - 32, Mahagani sappling - 18, Anjili sappling - 19, Rubber sappling - 52, Pana sappling - 12, Coconut sappling - 2, Teak sappling - 7, Pongiliyam sappling - 11, Jungle sappling - 22 were cut and removed from the property of the petitioner which is also reflected from Ext.B38 DVS also.

(iii) As regards the determination of compensation for yielding rubber trees is concerned, it is to be noted that a rubber tree would normally begin yielding from its 7th year. An average, conventional rubber tree would give yield around 8 to 10 kg of latex for a minimum period of 20 years. Hence, the average yield from the trees can be fixed as 9 litres of latex a year. In the absence of any independent proof the highest net return value, specified in Ext.B38 DVS ie., Rs.126/- can be taken as the prevailing market price. One-third of the income generated from the rubber trees can be deducted towards the expenses incurred. Since the trees cut and removed were only **18** years of age, a multiplier **2** can be fixed for calculating the compensation, and therefore the petitioner is entitled to get Rs.**58,968/-** (39 x 126 x 9 x 2 x 2/3) as compensation for the loss of yielding of rubber trees, cut and removed. 52 rubber saplings were aged only 4 years Rs.200/- can be fixed for each the petitioner is entitled to get **10,400/-** (52x200). It is also to be noted that the timber which were cut and removed were entrusted to the petitioner, who might have sold those valuable trees and got some amount by way of its sale. Having considered my bestowed consideration to the above all aspects especially taking note of the age of the trees cut and removed. I am of the view that the excess amount mentioned in the table referred below can be awarded for each trees. I order accordingly.

(iv) <u>Table</u>

Sl. No.	Description of trees	No. of trees	Age (years)	Compensation paid	Compensation Awarded	Excess amount awarded for each tree
1	Pepper	97	8	125930.83	125930.83	Nil
2	Pana	5	8	1400	1400	Nil
3	Mahagani	10	18	14400	20000	10x2000
4	Mahagani	12	15	14400	24000	12x2000
5	Mahagani	40	10	32000	80000	40x2000
6	Pongiliyam	3	35	3675	3675	Nil
7	Pongiliyam	8	30	8400	8400	Nil
8	Pongiliyam	7	10	2450	2450	Nil
9	Teak	7	25	14000	42000	7x6000
10	Teak	1	20	1600	6000	1x6000
11	Teak	3	12	2880	9000	3x3000
12	Anjili	1	45	3600	5000	1x5000
13	Anjili	9	20	14400	45000	9x5000

14	Anjili	21	12	20160	42000	21x2000
15	Coconut	17	18	280244.72	280244.72	Nil
16	Jack fruit	1	30	25000	25000	Nil
17	Jack fruit	1	28	30000	30000	Nil
18	Jack fruit	3	26	60000	60000	Nil
19	Jungle tree	16	25	14000	14000	Nil
20	Rubber	39	18	108725.13	58968	39 x 126 x 9 x 2 x 2/3
21	Vatta	4	20	2800	2800	Nil
22	Vatta	10	12	4200	4200	Nil
23	Mango	1	25	7940	7940	Nil
24	Coffee	40	8	23084.07	23084.07	Nil
25	Coffee sappling	632	2	9480	9480	Nil
26	Vatta sappling	32	2	2240	2240	Nil
27	Mahagani sappling	18	3	4320	4320	Nil
28	Anjili sappling	19	2	3040	3040	Nil
29	Rubber sappling	52	4	5995.6	26000	52x500
30	Pana sappling	12	3	1260	1260	Nil
31	Coconut sappling	2	5	600	600	Nil
32	Teak sappling	7	3	1680	1680	Nil
33	Pongiliyam sappling	11	4	1540	1540	Nil
34	Jungle tree sappling	22	3	2310	2310	Nil
	Total			847755	973562.62	

(v) Thus, I find the petitioner is entitled to get a total compensation of **₹9,73,563/-** for the value of trees and expected yields. The compensation already awarded and given to the petitioner under this head is liable to be to be deducted.

In the result, **OP(E)No.5/2021 is disposed of as follows:**

2) Directing the respondents concerned to pay a sum of **₹30,81,563/-, (Rupees Thirty Lakhs Eighty One Thousand Five Hundred & Sixty Three only),** together with interest at the rate of 7% per annum, from the date of petition till its realisation, with proportionate costs of the petitioner. The amount already awarded and paid by the respondents shall be deducted from the above said amount. The interest is ordered to be calculated for the excess amount awarded as per this order.

19(i) OP(E) 6/2021(i): The petitioner is the owner in possession and enjoyment of the property comprised in resurvey No. 89/17&90/5 of Ayarkunnam Village and in connection with the drawal of transmission line through the neighbouring property, the yielding trees and timbers situated in his property were cut and removed. Hence he claims compensation for the loss of yielding trees.

(ii). As regards the compensation for the trees which are cut and removed from the property of the petitioner is concerned, it is to be noted that as per Ext.B42 & B42(a) mahazar, it seems that Vatta - 3, Mahagani-14, Jack fruit tree-4, Teak-1, Coconut- 2,Pepper-20, Rubber - 9, Anjili-3, Kudampuli - 1, Kappi -15, Mahagani sappling - 10, Anjili sappling - 5 were cut and removed from the property of the petitioner which is also reflected from Ext.B43, B43(a) DVS also.

(iii) As regards the determination of compensation for yielding rubber trees is concerned, it is to be noted that a rubber tree would normally begin yielding from its 7^{th} year. An average, conventional rubber tree would give yield around 8 to 10 kg of latex for a minimum period of 20 years. Hence, the average yield from the trees can be fixed as 9 litres of latex a year. In the absence of any independent proof the highest net return value, specified in Ext.**B27** DVS ie., Rs.126/- can be taken as the prevailing market price. One-third of the income generated from the rubber trees can be deducted towards the expenses incurred. Since the trees cut and removed were only **8** years of age, a multiplier **12** can be fixed for calculating the compensation, and therefore the petitioner is entitled to get Rs.81,648/- (9 x 126 x 9 x12 x 2/3) as compensation for the loss of yielding of rubber trees, cut and removed. It is also to be noted that the timber which were cut and removed were entrusted to the petitioner, who might have sold those valuable trees and got some amount by way of its sale. Having considered my bestowed consideration to the above all aspects especially taking note of the age of the trees cut and removed. I am of the view that the excess amount mentioned in the table referred below can be awarded for each trees. I order accordingly.

(iv) Table

Sl. No.	Description of trees	No. of trees	Age (years)	Compensation paid	Compensation Awarded	Excess amount awarded for each tree
1	Vatta	1	25	875	875	Nil
2	Vatta	2	12	840	840	Nil
3	Mahagani	1	35	2800	5000	1x5000
4	Mahagani	2	18	2880	4000	2x2000

5	Mahagani	6	10	4800	12000	6x2000
6	Mahagani	5	10	4000	4000	Nil
7	Jack fruit	1	35	30000	30000	Nil
8	Jack fruit	1	30	30000	30000	Nil
9	Jack fruit	1	25	25000	25000	Nil
10	Jack fruit	1	10	500	500	Nil
11	Teak	1	20	1600	1600	Nil
12	Coconut	1	30	16147.6	16147.6	Nil
13	Coconut	1	25	11012.29	11012.29	NIl
14	Pepper	15	8	31482.71	31482.71	Nil
15	Pepper	5	8	12593.08	12593.08	Nil
16	Rubber	9	8	29007.17	81648	9 x 126 x 9 x12 x 2/3
17	Anjili	1	20	1600	5000	1x5000
18	Anjili	2	12	1920	4000	2x2000
19	Kudampuli	1	15	17600	17600	Nil
20	Coffee	15	10	13818.46	13818.46	Nil
21	Mahagani sappling	10	5	4000	4000	Nil
22	Anjili sappling	5	3	1200	1200	Nil
	Total			243676.3	312317.1	

(v) Thus, the petitioner is entitled to get a total compensation of **₹3,12,317/-** for the value of trees and expected yields. The compensation already awarded and given to the petitioner under this head is liable to be to be deducted.

In the result, **OP(E)No.6/2021 is disposed of as follows:**

2) Directing the respondents concerned to pay a sum of **₹3,12,317/-,(Rupees Three Lakhs Twelve Thousand Three Hundred & Seventeen only),** together with interest at the rate of 7% per annum, from the date of petition till its realisation, with proportionate costs of the petitioner. The amount already awarded and paid by the respondents shall be deducted from the above said amount and interest is to be calculated for the excess amount awarded as per this order.

20. (i). <u>OP(E) No.7/2021 :</u> The petitioner is the owner in possession and enjoyment of the property comprised in resurvey No.90/5 of Ayarkunnam Village over which high tension electric line was drawn by the respondents. The DVS produced by the respondents would go to show that the affected area in OP(E) 7/2021 is only to an extent of **1.82** ares. No contra evidence is available as record to show otherwise. Therefore, I am of the view that the affected area as measured out by the respondents will have to be accepted. Here as per the fair value of the land fixed by the government as per Ext.**B225**, the petitioner is entitled to get an amount of Rs.**36,400**/- (10000 x4x1.82x 50%) as compensation for the diminution in value of the land and its restrictive use. I order accordingly.The compensation already awarded and given to the petitioner under this head is liable to be deducted.

(ii). As regards the compensation for the trees which are cut and removed from the property of the petitioner is concerned, it is to be noted that as per Ext.B45 mahazar, it seems that Vatta - 3, Mahagani-14, Jack fruit tree-4, Teak-1, Coconut- 2,Pepper-20, Rubber- 18, Anjili-4, Kudampuli - 1, Kappi -15, Mahagani sappling - 10, Anjili sappling - 5 were cut and removed from the property of the petitioner which is also reflected from Ext.B25 DVS also.

(iii) As regards the determination of compensation for yielding rubber trees is concerned, it is to be noted that a rubber tree would normally begin yielding from its 7th year. An average, conventional rubber tree would give yield around 8 to 10 kg of latex for a minimum period of 20 years. Hence, the average yield from the trees can be fixed as 9 litres of latex a year.In the absence of any independent proof the highest net return value, specified in Ext.B**27** DVS ie., Rs.126/- can be taken as the prevailing market price. One-third of the income generated from the rubber trees can be deducted towards the expenses incurred. Since the trees cut and removed were only **8** years of age, a multiplier **12** can be fixed for calculating the compensation, and therefore the petitioner is entitled to get Rs.**5,21,640/-** (18 x 126 x 9 x 12 x 2/3) as compensation for the loss of yielding of rubber trees, cut and removed. It is also to be noted that the timber which were cut and removed were entrusted to the petitioner, who might have sold those valuable trees and got some amount by way of its sale. Having considered my bestowed consideration to the above all aspects especially taking note of the age of the trees cut and removed. I am of the view that the excess amount mentioned in the table referred below can be awarded for each trees. I order accordingly.

(vi) Table

Sl. No.	Description of trees	No. of trees	Age (years)	Compensation paid	Compensation Awarded	Excess amount awarded for each tree
1	Vatta	1	25	875	875	Nil
2	Vatta	2	12	840	840	Nil
3	Mahagani	1	35	2800	5000	1x5000
4	Mahagani	2	18	2880	4000	2x2000
5	Mahagani	6	10	4800	12000	6x2000
6	Mahagani	5	10	4000	10000	5x2000
7	Jack fruit	1	35	30000	30000	Nil
8	Jack fruit	1	30	30000	30000	Nil
9	Jack fruit	1	25	25000	25000	Nil
10	Jack fruit	1	10	500	500	Nil
11	Teak	1	20	1600	6000	1x6000
12	Coconut	1	30	16147.6	16147.6	Nil
13	Coconut	1	25	11012.29	11012.29	Nil
14	Pepper	15	8	31482.71	31482.71	Nil
15	Pepper	5	8	12593.08	12593.08	Nil
16	Rubber	9	8	29007.17	81648	9 x 126 x 9 x12 x 2/3
17	Rubber	9	8	30189.6	81648	9 x 126 x 9 x12 x 2/3
18	Anjili	2	20	3200	10000	2x5000
19	Anjili	2	12	1920	4000	2x2000
20	Kudampuli	1	15	17600	17600	Nil
21	Coffee	15	10	13818.46	13818.46	Nil
22	Mahagani sappling	10	5	4000	4000	Nil
23	Anjili sappling	5	3	1200	1200	Nil
	Total			275465.91	409365.1	

(v) Thus, the petitioner is entitled to get a total compensation of **₹4,09,365/-** for the value of trees and expected yields. The compensation already awarded and given to the petitioner under this head is liable to be to be deducted.

In the result, **<u>OP(E)No.7/2021 is disposed of as follows:</u>**

2) Directing the respondents concerned to pay a sum of **₹4,45,765/-, (Rupees Four Lakhs Forty Five Thousand Seven Hundred & Sixty Five only),** together with interest at the rate of 7% per annum, from the date of petition till its realisation, with proportionate costs of the petitioner. The amount already awarded and paid by the respondents shall be deducted from the above said amount and interest is to be calculated for the excess amount awarded as per this order.

21. (i). <u>OP(E) No.14/2021 :</u> The petitioner is the owner in possession and enjoyment of the property comprised in resurvey No. 431/6 of Ayarkunnam Village over which high tension electric line was drawn by the respondents. The sketch produced by the respondents would go to show that the affected area in OP(E) 14/2021 is only to an extent of **3.65** ares (0.52+2.23+.9). No contra evidence is available as record to show otherwise. Therefore, I am of the view that the affected area as measured out by the respondents will have to be accepted. Hence as per the fair value fixed by the government the petitioner is entitled to get an amount of **Rs.73,000/-** (10,000 x4x3.65 x 50%) as compensation for the diminution in value of the land and its restrictive use. I order accordingly. The compensation already awarded and given to the petitioner under this head is liable to be deducted.

(ii). As regards the compensation for the trees which are cut and removed from the property of the petitioner is concerned, it is to be noted that as per Ext.B48 mahazar, it seems that Vatta - 15, Rubber - 34, Anjili-11, Kasumavu - 2, Mahagani-1, Pongaliyam - 4, Puli - 1, Pappaya - 2, Jack fruit tree-1, Kariveppu - 1, Pana -1, Arecanut - 1, Pepper-5, Vatta sappling - 42,Mahagani sappling - 4, Pana sappling - 55, Jungle sappling - 12, Rubber sappling - 7, Aracanut sappling - 6 were cut and removed from the property of the petitioner which is also reflected from Ext.B49 DVS also.

(iii) As regards the determination of compensation for yielding rubber trees is concerned, it is to be noted that a rubber tree would normally begin yielding from its 7th year. An average, conventional rubber tree would give yield around 8 to 10 kg of latex for a minimum period of 20 years. Hence, the average yield from the trees can be fixed as 9 litres of latex a year. In the absence of any independent proof the highest net return value, specified in Ext.B49 detailed valuation statement ie., Rs.126/- can be taken as the prevailing market price. One-third of the income generated from the rubber trees can be deducted towards the expenses incurred. Since the trees cut and removed were only **10** years of age, a multiplier **10** can be fixed for calculating the compensation, and therefore the petitioner is entitled to get Rs.**2,57,040/-** (34 x 126 x 9 x 10 x 2/3), and 7 rubber saplings of 3 years age, petitioner is entitled to get 7x200 is Rs.1400/- as compensation for the loss of yielding of rubber trees, cut and removed. It is also to be noted that the timber which were cut and removed were entrusted to the petitioner, who might have sold those valuable trees and got some amount by way of its sale. Having considered my bestowed consideration to the above all aspects especially taking note of the age of the trees cut and removed. I am of the view that the excess amount mentioned in the table referred below can be awarded for each trees. I order accordingly.

(iv) <u>Table</u>

Sl. No.	Description of trees	No. of trees	Age (years)	Compensation paid	Compensation Awarded	Excess amount awarded for each tree
1	Vatta	3	20	2100	875	Nil
2	Vatta	5	10	1750	1750	Nil
3	Vatta	7	7	1715	1715	Nil
4	Vatta		18	2880	2880	Nil
5	Rubber	34	10	113667.58	257040	34 x 126 x 9 x 10 x 2/3
6	Anjili	5	35	14000	25000	5x5000
7	Anjili	1	30	2400	5000	1x5000
8	Anjili	5	10	4000	10000	5x2000
9	Cashew	2	12	7000	7000	Nil
10	Mahagani	1	20	1600	5000	1x5000
11	Pongaliyam	1	15	525	525	Nil

12	Pongaliyam	4	10	1400	1400	Nil
13	Puli	1	18	21000	21000	Nil
14	Pappaya	2	1	6000	6000	Nil
15	Jack fruit	1	32	40000	40000	Nil
16	Kariveppu	1	8	240	240	Nil
17	Pana	55	3	5775	5775	Nil
18	Aracanut	1	12	4050.46	4050.6	Nil
19	Pepper	5	10	11962017	11962.17	Nil
20	Vatta sappling	42	4	5880	5880	Nil
21	Mahagani sappling	4	4	1280	1280	Nil
22	Pana sappling	55	3	5775	5775	Nil
23	Jungle sappling	12	3	1260	1260	Nil
24	Rubber sappling	7	3	824.6	3500	7x500
25	Aracanut sappling	6	4	300	300	Nil
	Total			12207440	425207.77	

(vi) Thus, the petitioner is entitled to get a total compensation of **₹4,25,208/-** for the value of trees and expected yields. The compensation already awarded and given to the petitioner under this head is liable to be to be deducted.

In the result, **<u>OP(E)No.14/2021 is disposed of as follows:</u>**

2) Directing the respondents concerned to pay a sum of **₹4,98,208/-, (Rupees Four Lakh Ninety Eight Thousand Two Hundred and Eight only),** together with interest at the rate of 7% per annum, from the date of petition till its realisation, with proportionate costs of the petitioner. The amount already awarded and paid by the respondents shall be deducted from the above said amount and interest is to be calculated for the excess amount awarded as per this order.

22. (i). OP(E) No.17/2021 : The petitioner is the owner in possession and enjoyment of the property comprised in resurvey No. 89/1-2,1-1,1-4 of Kooroppada Village over which an electric line was drawn by the respondents. The sketch produced by the respondents would go to show that the affected area in OP(E) 17/2021 is only to an extent of **20.39** ares. No contra evidence is available as record to show otherwise. Therefore, I am of the view that the affected area as measured out by the respondents will have to be accepted. Hence as per the fair value fixed by the government as per Ext.B54,the petitioner is entitled to get an amount of **Rs.20,39,000**/- (50,000 x4x20.39x50%) as compensation for the diminution in value of the land and its restrictive use. I order accordingly. The compensation already awarded and given to the petitioner under this head is liable to be deducted.

(ii). As regards the compensation for the trees which are cut and removed from the property of the petitioner is concerned, it is to be noted that as per Ext.B52 mahazar, it seems that Rubber - 137, Anjili-75, Pana - 2, Jungle tree - 6, Vatta - 8, Mahagony - 3, Coconut - 2, Arecanut - 14, Pongiliyam - 4, Teak - 3, Cocco -1, Pepper - 62, coconut sappling - 1, Teak sapplinig - 8, Coffee sappling - 26 were cut and removed from the property of the petitioner which is also reflected from Ext.B49 DVS also.

(iii) As regards the determination of compensation for yielding rubber trees is concerned, it is to be noted that a rubber tree would normally begin yielding from its 7th year. An average, conventional rubber tree would give yield around 8 to 10 kg of latex for a minimum period of 20 years. Hence, the average yield from the trees can be fixed as 9 litres of latex a year. In the absence of any independent proof the highest net return value, specified in Ext.B52 DVS ie., Rs.126/- can be taken as the prevailing market price. One-third of the income generated from the rubber trees can be deducted towards the expenses incurred. Since the trees cut and removed were only **15** years of age, a multiplier **5** can be fixed for calculating the compensation, and therefore the petitioner is entitled to get Rs**.5,17,860/-** (137 x 126 x 9 x 5 x 2/3) as compensation for the loss of yielding of rubber trees, cut and removed. It is also to be noted that the timber which were cut and removed were entrusted to the petitioner, who might have sold those valuable trees and got some amount by way of its sale. Having considered my bestowed consideration to the above all aspects especially taking note of the age of the trees cut and removed. I am of the view that the excess amount mentioned in the table referred below can be awarded for each trees. I order accordingly.

(iv) <u>Table</u>

Sl. No.	Description of trees	No. of trees	Age (years)	Compensation paid	Compensation Awarded	Remarks
1	Rubber	137	15	449328.26	517860	137 x 126 x 9 x 5 x 2/3
2	Anjili	6	8	3840	3840	Nil
3	Anjili	57	12	54720	114000	57x2000
4	Anjili	9	15	10800	18000	9x2000
5	Anjili	2	40	6400	6400	2x5000
6	Anjili	1	35	2800	10000	1x5000
7	Pana	2	6	420	420	Nil
8	Jungle tree	1	40	1400	1400	Nil
9	Jungle tree	2	20	1400	1400	Nil
10	Jungle tree	3	12	1260	1260	Nil
11	Vatta	8	12	3360	3360	Nil
12	Mahagani	3	15	3600	6000	3x2000
13	Coconut	2	20	31353.92	31353.92	Nil
14	Arecanut	14	15	59390.1	59390.1	Nil
15	Pongiliyam	1	35	1225	1225	Nil
16	Pongiliyam	3	12	1260	1260	Nil
17	Teak	2	10	1600	6000	2x3000
18	Teak	1	15	1200	3000	1x3000
19	Cocco	1	10	4033	4033	Nil
20	Pepper	62	8	127895.76	127895.76	Nil
21	Coconut sappling	1	4	250	250	Nil
22	Teak	8	5	3200	3200	Nil
23	Coffee	26	2	1560	1560	Nil
	Total			772296.04	923107.78	

(v) Thus, the petitioner is entitled to get a total compensation of **₹9,23,107/-** for the value of trees and expected yields. The compensation already awarded and given to the petitioner under this head is liable to be to be deducted.

In the result, **OP(E)No.17/2021 is disposed of as follows:**

2 Directing the respondents concerned to pay a sum of **₹29,62,107/-, (Rupees Twenty Nine Lakhs Sixty Two Thousand One Hundred & Seven only),** together with interest at the rate of 7% per annum, from the date of petition till its realisation, with proportionate costs of the petitioner. The amount already awarded and paid by the respondents shall be deducted from the above said amount. The interest is ordered to be calculated for the excess amount awarded as per this order.

23.(i). **OP(E) No.25/2021 :** The petitioner is the owner in possession and enjoyment of the property comprised in resurvey No. 353/2 of Kooroppada Village over which high tension electric line was drawn by the respondents. The DVS produced by the respondents would go to show that the affected area in OP(E) 25/2021 is only to an extent of **0.17** ares. No contra evidence is available as record to show otherwise. Therefore, I am of the view that the affected area as measured out by the respondents will have to be accepted. Hence as per the fair value fixed by the government as per Ext.B59, the petitioner is entitled to get an amount of **Rs.13,600/-** (40000 x4x0.17 x 50%) as compensation for the diminution in value of the land and its restrictive use.I order accordingly. The compensation already awarded and given to the petitioner under this head is liable to be deducted.

(ii). As regards the compensation for the trees which are cut and removed from the property of the petitioner is concerned, it is to be noted that as per Ext.B56 mahazar it seems that Teak - 1,Rubber - 1, Vatta - 2 were cut and removed from the property of the petitioner which is also reflected from Ext.B57 DVS also.

(iii) As regards the determination of compensation for yielding rubber trees is concerned, it is to be noted that a rubber tree would normally begin yielding from its 7^{th} year. An average, conventional rubber tree would give yield around 8 to 10 kg of latex for a minimum period of 20 years. Hence, the average yield from the trees can be fixed as 9 litres of latex a year. In the absence of any independent proof the highest net return value, specified in Ext.B57 DVS ie., Rs.126/- can be taken as the prevailing market price. One-third of the income generated from the rubber trees can be deducted towards the expenses incurred. Since the trees cut and removed were only **8** years of age, a multiplier **12** can be fixed for calculating the compensation, and therefore the petitioner is entitled to get Rs.**9072/-** (1 x 126 x 9 x 12 x 2/3) as compensation for the loss of yielding of rubber trees, cut and removed. It is also to be noted that the timber which were cut and removed were entrusted to the petitioner, who might have sold those valuable trees and got some amount by way of its sale. Having considered my bestowed consideration to the above all aspects especially taking note of the age of the trees cut and removed. I am of the view that the excess amount mentioned in the table referred below can be awarded for each trees. I order accordingly.

(iv) <u>Table</u>

Sl. No.	Description of trees	No. of trees	Age (years)	Compensation paid	Compensation Awarded	Excess amount awarded for each tree
1	Teak	1	10	800	800	1x2000
2	Rubber	1	8	3558.23	9072	1 x 126 x 9 x 12 x 2/3
3	Vatta	2	12	840	840	Nil
	Total			5198.23	10712	

(v) Thus, the petitioner is entitled to get a total compensation of **₹10,712/-** for the value of trees and expected yields. The compensation already awarded and given to the petitioner under this head is liable to be to be deducted.

In the result, **<u>OP(E)No.25/2021 is disposed of as follows:</u>**

2) Directing the respondents concerned to pay a sum of **₹24,312/-, (Rupees Twenty Four Thousand Three Hundred & Twelve only),** together with interest at the rate of 7% per annum, from the date of petition till its realisation, with proportionate costs of the petitioner. The amount already awarded and paid by the respondents shall be deducted from the above said amount. The interest is to be calculated for the excess amount awarded as per this order.

24. (i). <u>OP(E) No.26/2021 :</u> The petitioner is the owner in possession and enjoyment of the property comprised in resurvey No. 353/6-1-1 &353/1-1 of Kooroppada Village over which high tension electric line was drawn by the respondents. The DVS produced by the respondents would go to show that the affected area in OP(E) 26/2021 is an extent of **4.62** ares (3.6+1.02).No contra evidence is available as record to show otherwise. Therefore, I am of the view that the affected area as measured out by the respondents will have to be accepted. Hence as per the fair value fixed by the government as per Ext.B63, the petitioner is entitled to get an amount of **Rs.3,69,600/-** (40000 x4x4.62 x 50%) as compensation for the diminution in value of the land and its restrictive use. I order accordingly. The compensation already awarded and given to the petitioner under this head is liable to be deducted.

(ii). As regards the compensation for the trees which are cut and removed from the property of the petitioner is concerned, it is to be noted that as per Ext.B61 mahazar, it seems that Rubber – 34, Vatta – 12 were cut and removed from the property of the petitioner which is also reflected from Ext.B62 DVS also.

(iii) As regards the determination of compensation for yielding rubber trees is concerned, it is to be noted that a rubber tree would normally begin yielding from its 7th year. An average, conventional rubber tree would give yield around 8 to 10 kg of latex for a minimum period of 20 years. Hence, the average yield from the trees can be fixed as 9 litres of latex a year. In the absence of any independent proof the highest net return value, specified in Ext.B6 DVS ie., Rs.126/- can be taken as the prevailing market price. One-third of the income generated from the rubber trees can be deducted towards the expenses incurred. Since the trees cut and removed were only **15** years of age, a multiplier **5** can be fixed for calculating the compensation, and therefore the petitioner is entitled to get Rs.**1,28,520/-** (34 x 126 x 9 x 5 x 2/3) as compensation for the loss of yielding of rubber trees cut and removed. It is also to be noted that the timber which were cut and removed were entrusted to the petitioner, who might have sold those valuable trees and got some amount by way of its sale. Having considered my bestowed consideration to the above all aspects especially taking note of the age of the trees cut and removed. I am of the view that the excess amount mentioned in the table referred below can be awarded for each trees. I order accordingly.

(iv) <u>Table</u>

Sl. No.	Description of trees	No. of trees	Age (years)	Compensation paid	Compensation Awarded	Remarks
1	Rubber	34	15	101942.29	128520	34 x 126 x 9 x 5 x 2/3
2	Vatta	12	10	4200	4200	Nil
	Total			106142.29	132720	

(v) Thus, the petitioner is entitled to get a total compensation of **₹1,32,720/-** for the value of trees and expected yields. The compensation already awarded and given to the petitioner under this head is liable to be to be deducted.

In the result, **<u>OP(E)No.26/2021 is disposed of as follows:</u>**

2) Directing the respondents concerned to pay a sum of **₹5,02,320/-, (Rupees Five lakhs Two Thousand Three Hundred & Twenty only),** together with interest at the rate of 7% per annum, from the date of petition till its realisation, with proportionate costs of the petitioner. The amount already awarded and paid by the respondents shall be deducted from the above said amount. The interest is ordered to be calculated for the excess amount awarded as per this order.

25.(i). <u>OP(E) No.27/2021 :</u> The petitioner is the owner in possession and enjoyment of the property comprised in resurvey No. 295/5-1 of Kooroppada Village over which high tension electric line was drawn by the respondents. The DVS produced by the respondents would go to show that the affected area in OP(E) 27/2021 is only to an extent of **4.72** ares. No contra evidence is available as record to show otherwise. Therefore, I am of the view that the affected area as measured out by the respondents will have to be accepted. Hence as per the fair value fixed by the government as per Ext.B68, the petitioner is entitled to get an amount of **Rs.3,77,600/-** (40000x4x4.72x50%) as compensation for the diminution in value of the land and its restrictive use. I order accordingly. The compensation already awarded and given to the petitioner under this head is liable to be deducted.

(ii). As regards the compensation for the trees which are cut and removed from the property of the petitioner is concerned, it is to be noted that as per Ext.B65 mahazar, it seems that Vaazha - 52 *in numbers*, Coffee plant -10, Teak -4, Mahagany -29, Pongiliyam -5, Jungle tree -3, Pana -6, Anjili -9, Jack fruit - 8, Arecanut -58, Jathi -19, Bamboo - 50, Pepper -48, Kudanpuli - 2,Narakam -1, Vatta - 4, Coconut -1, Panjimaram -1, Chamba -1, Pappaya -1, Murik -1, Kadaplavu -1, Rubber -1, Coffee -48, Arecanut sappling

-22, Mango sappling -5, Mahagani sappling -15,Jack fruit sappling -4, Anjili sappling -10, Pana sappling -15, Coconut sappling -4, Edana - 4 were cut and removed from the property of the petitioner which is also reflected from Ext.B66 DVS also.

(iii) As regards the determination of compensation for yielding rubber trees is concerned, it is to be noted that a rubber tree would normally begin yielding from its 7th year. An average, conventional rubber tree would give yield around 8 to 10 kg of latex for a minimum period of 20 years. Hence, the average yield from the trees can be fixed as 9 litres of latex a year. In the absence of any independent proof the highest net return value, specified in Ext.B66 DVS ie., Rs.126/- can be taken as the prevailing market price. One-third of the income generated from the rubber trees can be deducted towards the expenses incurred. Since the trees cut and removed were only **8** years of age, a multiplier **12** can be fixed for calculating the compensation, and therefore the petitioner is entitled to get Rs.**9,072/- (**1 x 126 x 9 x 12 x 2/3) as compensation for the loss of yielding of rubber trees, cut and removed. It is also to be noted that the timber which were cut and removed were entrusted to the petitioner, who might have sold those valuable trees and got some amount by way of its sale. Having considered my bestowed consideration to the above all aspects especially taking note of the age of the trees cut and removed . I am of the view that the excess amount mentioned in the table referred below can be awarded for each trees. I order accordingly.

(iv) Table

Sl. No.	Description of trees	No. of trees	Age (years)	Compensation paid	Compensation Awarded	Excess amount awarded for each tree
1	Anjili	4	28	8960	20000	4x5000
2	Jack fruit	1	30	40000	40000	Nil
3	Jack fruit	4	25	100000	100000	Nil
4	Jack fruit	1	20	15000	15000	Nil
5	Jack fruit	2	15	25000	25000	Nil
6	Anjili	4	10	3200	8000	4x2000
7	Teak	3	10	2400	9000	3x3000
8	Teak	1	20	1600	6000	1x6000
9	Mahagani	17	10	13600	34000	17x2000
10	Coconut	1	14	23662.97	23662.97	Nil
11	Coconut	4	4	1000	1000	Nil
12	Arecanut	58	12	238824.35	238824.35	Nil
13	Mahagani	11	20	17600	55000	11x5000
14	Mahagani	1	25	2000	5000	1x5000
15	Rubber	1	8	3358.23	9072	1 x 126 x 9 x 12

						x 2/3
16	Pepper	48	10	90757.88	90757.88	Nil
17	Perumaram	5	20	3500	3500	Nil
18	Jungle tree	2	20	1050	1050	Nil
19	Jungle tree	1	25	875	875	Nil
20	Mula (Bamboo)	50	15	37500	37500	Nil
21	Jathi	19	15	317300	317300	Nil
22	Kudampuli	1	25	52500	52500	Nil
23	Kudampuli	1	10	21000	21000	Nil
24	Karinarakam	1	10	10000	10000	Nil
25	Kadaplavu	1	10	4000	4000	Nil
26	Vatta	4	8	1120	1120	Nil
27	Panjimaram	1	30	1050	1050	Nil
28	Champa	1	10	2000	2000	Nil
29	Pappaya	1	7	2250	2250	Nil
30	Murikku	1	15	2250	2250	Nil
31	Coffee	48	8	103553.97	103553.97	Nil
32	Chunda pana	1	30	10800	10800	Nil
33	Pana	4	10	1400	1400	Nil
34	Arecanut sappling	22	4	1100	1100	Nil
35	Mango sappling	5	4	1200	1200	Nil
36	Mahagani sappling	15	4	4800	4800	Nil
37	Jack fruit	4	4	960	960	Nil
38	Anjili sappling	10	4	3200	3200	Nil
39	Pana sappling	15	4	2100	2100	Nil
40	Vazhana	4	4	560	560	Nil
41	Vaazha(small-Nendra	23	7	12000	12000	Nil

42	Vaazha-Njali poovan	29	7	8775	8775	Nil
43	Coffee	10	6	7327.37	7327.37	Nil
	Total			1088620.8	1170934.57	

(v) Thus, the petitioner is entitled to get a total compensation of **₹11,70,935/-** for the value of trees and expected yields. The compensation already awarded and given to the petitioner under this head is liable to be to be deducted.

In the result, **OP(E)No.27/2021 is disposed of as follows:**

2) Directing the respondent concerned to pay a sum of **₹15,48,535/-, (Rupees Fifteen Lakhs Forty Eight Thousand Five Hundred & Thirty Five only),** together with interest at the rate of 7% per annum, from the date of petition till its realisation, with proportionate costs of the petitioner. The amount already awarded and paid by the respondents shall be deducted from the above said amount. The interest is ordered to be calculated for the excess amount awarded as per this order.

26.(i). <u>OP(E) No.28/2021 :</u> The petitioner is the owner in possession and enjoyment of the property comprised in resurvey No. 353/6-2, 353/6-1 of Kooroppada Village over which high tension electric line was drawn by the respondents. The DVS produced by the respondents would go to show that the affected area in OP(E) 28/2021 is an extent of **23.55** ares. No contra evidence is available as record to show otherwise. Therefore, I am of the view that the affected area as measured out by the respondents will have to be accepted. Hence as per the fair value fixed by the government as per Ext.B72, the petitioner is entitled to get an amount of Rs.**18,84,000/-** (40000 x4x23.55 x 50%) as compensation for the diminution in value of the land and its restrictive use. I order accordingly. The compensation already awarded and given to the petitioner under this head is liable to be deducted.

(ii). As regards the compensation for the trees which are cut and removed from the property of the petitioner is concerned, it is to be noted that as per Ext.B74 mahazar, it seems that Rubber - 106 in Numbers, Vatta - 15, Jungle tree - 1, Anjili - 3, Pongiliyam - 3 were cut and removed from the property of the petitioner which is also reflected from Ext.B71 DVS also.

(iii). As regards the determination of compensation for yielding rubber trees is concerned, it is to be noted that a rubber tree would normally begin yielding from its 7th year. An average, conventional rubber tree would give yield around 8 to 10 kg of latex for a minimum period of 20 years. Hence, the average yield from the trees can be fixed as 9 litres of latex a year.In the absence of any independent proof the highest net return value, specified in Ext.B71 DVS ie., Rs.126/- can be taken as the prevailing market price. One-third of the income generated from the rubber trees can be deducted towards the expenses incurred. Since the trees cut and removed were only **15** years of age, a multiplier 5 can be fixed for calculating the compensation, and therefore the petitioner is entitled to get Rs.**4,00,680/-** (106 x 126 x 9 x 5 x 2/3) as compensation for the loss of yielding of rubber trees, cut and removed. It is also to be noted that the timber which were cut and removed were entrusted to the petitioner, who might have sold those valuable trees and got some amount by way of its sale.Having considered my bestowed consideration to the above all aspects especially taking note of the age of the trees cut and removed.I am of the view that the excess amount mentioned in the table referred below can be awarded for each trees. I order accordingly.

(iv) <u>Table</u>

Sl. No.	Description of trees	No. of trees	Age (years)	Compensation paid	Compensation Awarded	Excess amount awarded for each tree
1	Rubber	106	15	318569.66	400680	106 x 126 x 9 x 5 x 2/3
2	Vatta	15	8	4200	4200	Nil
3	Jungle tree	1	22	770	770	Nil
4.	Anjili	2	25	4000	10000	2x5000
5	Anijili	1	40	3200	5000	1x5000
6	Pongiliyam	2	25	1750	1750	Nil
7	Pongiliyam	1	12	420	420	Nil
	Total			332909.66	422820	

(v) Thus, the petitioner is entitled to get a total compensation of **₹4,22,820/-** for the value of trees and expected yields. The compensation already awarded and given to the petitioner under this head is liable to be to be deducted.

In the result, **OP(E)No.28/2021 is disposed of as follows:**

2) Directing the respondents concerned to pay a sum of **₹23,06,820/-, (Rupees Twenty Three Lakhs Six Thousand Eight Hundred & Twenty only),** together with interest at the rate of 7% per annum, from the date of petition till its realisation, with proportionate costs of the petitioner. The amount already awarded and paid by the respondents shall be deducted from the above said amount. The interest is ordered to be calculated for the excess amount awarded as per this order.

27. OP(E) No.29/2021 : The petitioner is the owner in possession and enjoyment of the property comprised in resurvey No. 295/5 of Kooroppada Village, and in connection with the drawal of transmission line through the neighbouring property, the yielding trees standing in his property were cut and removed. Hence he claims compensation for the loss of yielding trees.

(ii). As regards the compensation for the trees which are cut and removed from the property of the petitioner is concerned, it is to be noted that as per Ext.B74 mahazar, it seems that Vaazha - 52, Coffee plant - 10 were cut and removed from the property of the petitioner which is also reflected from Ext.B75 DVS. Having considered the facts and circumstances of the case and the nature and value of the trees which were cut and removed from the property of the petitioner, I am of the perception that the amount of compensation awarded by the respondents to the petitioner is adequate and sufficient.I order accordingly.

(iii) Table

Sl. No.	Description of trees	No. of trees	Age (years)	Compensation paid	Compensation Awarded	Excess amount awarded for each tree
1	Vaazha (Nendra)	23	7	12000	12000	Nil
2	Vaazha(Njali poovan)	29	7	8775	8775	Nil
3	Cofee plant	10	6	7327.37	7327.37	Nil
	Total			28102.37	28102.37	

(v) Thus, this petition stands dismissed.

In the result, **OP(E)No.29/2021 is stands disposed.**

28.(i). <u>OP(E) No.30/2021 :</u> The petitioner is the owner in possession and enjoyment of the property comprised in resurvey No. 229/2-1,229/2-3 & 229/2-2 of Kooroppada Village over which high tension electric line was drawn by the respondents. The DVS produced by the respondents would go to show that the affected area in OP(E) 30/2021 is only to an extent of **14.6** ares (8.83+2.02+3.75). No contra evidence is available as record to show otherwise.Therefore, I am of the view that the affected area as measured out by the respondents will have to be accepted. Hence as per the fair value fixed by the government as per Ext.B80, the petitioner is entitled to get an amount of **Rs.8,76,000/-** (30000 x4x 14.6 x 50%) as compensation for the diminution in value of the land and its restrictive use. I order accordingly. The compensation already awarded and given to the petitioner under this head is liable to be deducted.

(ii). As regards the compensation for the trees which are cut and removed from the property of the petitioner is concerned, it is to be noted that as per Ext.B77 mahazar, it seems that Pappaya – 14, Rubber – 145, Anjili – 17, Teak – 5, Mahagany – 1, Pepper – 20, Anjili sappling – 17, Mahagany sappling – 29, Pepper – 12, Pana – 2, Arecanut – 2, Karinarakom – 1, Kanikonna –1 were cut and removed from the property of the petitioner which is also reflected from Ext.B78 DVS also.

(iii) As regards the determination of compensation for yielding rubber trees is concerned, it is to be noted that a rubber tree would normally begin yielding from its 7th year. An average, conventional rubber tree would give yield around 8 to 10 kg of latex for a minimum period of 20 years. Hence, the average yield from the trees can be fixed as 9 litres of latex a year. In the absence of any independent proof the highest net return value, specified in Ext.B78 DVS ie., Rs.126/- can be taken as the prevailing market price. One-third of the income generated from the rubber trees can be deducted towards the expenses incurred.

Since the trees cut and removed were only **10** years of age, a multiplier 10 can be fixed for calculating the compensation, and therefore the petitioner is entitled to get Rs.**10,96,200/-** (145 x 126 x 9 x 10 x 2/3) as compensation for the loss of yielding of rubber trees, cut and removed. It is also to be noted that the timber which were cut and removed were entrusted to the petitioner, who might have sold those valuable trees and got some amount by way of its sale. Having considered my bestowed consideration to the above all aspects especially taking note of the age of the trees cut and removed. I am of the view that the excess amount mentioned in the table referred below can be awarded for each trees. I order accordingly.

(iv) <u>Table</u>

Sl. No.	Description of trees	No. of trees	Age (years)	Compensation paid	Compensation Awarded	Expenses awarded for each tree.
1	Pappaya	14	1	30000	30000	
2	Rubber	145	10	471302.02	1096200	145 x 126 x 9 x 10 x 2/3
3	Anjili	10	12	9600	20000	10x2000
4	Anjili	1	20	1600	5000	1x5000

5	Anjili	2	18	2880	4000	2x2000
6	Anjili	3	15	3600	6000	3x2000
7	Anjili	1	30	2400	5000	1x5000
8	Teak	2	25	4000	120000	2x6000
9	Teak	2	15	2400	6000	2x3000
10	Teak	1	23	1840	6000	1x6000
11	Mahagani	1	10	800	20000	10x2000
12	Pepper	30	8	58442.57	58442.57	Nil
13	Anjili sappling	17	4	5440	5440	Nil
14	Mahagani sappling	29	3	6960	6960	Nil
15	Pepper sappling	17	2	1360	1360	Nil
16	Pana sappling	2	3	210	210	Nil
17	Arecanut sappling	2	4	100	100	Nil
18	Karinarakom	1	12	12000	12000	Nil
19	Kanikonna	1	16	560	560	Nil
	Total			615494.59	1403272.57	

(v) Thus, the petitioner is entitled to get a total compensation of **₹14,03,273/-** for the value of trees and expected yields. The compensation already awarded and given to the petitioner under this head is liable to be to be deducted.

In the result, **<u>OP(E)No.30/2021 is disposed of as follows:</u>**

2. Directing the respondents concerned to pay a sum of **₹22,79,273/-, (Rupees Twenty Two Lakhs Seventy Nine Thousand Two Hundred & Seventy Three only),** together with interest at the rate of 7% per annum, from the date of petition till its realisation, with proportionate costs of the petitioner. The amount already awarded and paid by the respondents shall be deducted from the above said amount. The interest is ordered to be calculated for the excess amount awarded as per this order.

29. (I) OP(E) No.31/2021 : The petitioner is the owner in possession and enjoyment of the property comprised in resurvey No. 295/5 of Kooroppada Village, and in connection with the drawal of transmission line through the neighbouring property, the yielding trees and timbers situated in his property is cut and removed. Hence he claims compensation for the loss of yielding trees and timbers.

(ii). As regards the compensation for the trees which are cut and removed from the property of the petitioner is concerned, it is to be noted that as per Ext.B81 mahazar, it seems that Anjili - 16, Coconut - 2, Mango - 3, Jungle tree – 20, Jack fruit tree – 3, Arecanut – 7, Pappaya – 3, Konna – 5, Erumpampuli – 2, Rubber – 27,Pala –2, Cocco – 2, Teak –2, Pana – 1, Vatta –4, Valampuli –1, Mahagany – 2, Muringa –1, Aatha –1, Pepper – 7, Vatta sappling – 6, Anjili sappling – 8, Pappaya sappling – 3 were cut and removed from the property of the petitioner which is also reflected from Ext.B49 DVS also.

(iii) As regards the determination of compensation for yielding rubber trees is concerned, it is to be noted that a rubber tree would normally begin yielding from its 7th year. An average, a conventional rubber tree would give yield around 8 to 10 kg of latex for a minimum period of 20 years. Hence, the average yield from the trees can be fixed as 9 litres of latex a year. In the absence of any independent proof, the highest net return value, specified in Ext.B49 DVS ie., Rs.126/- can be taken as the prevailing market price. One-third of the income generated from the rubber trees can be deducted towards the expenses incurred. Since the trees cut and removed were only **8** years of age, a multiplier 12 can be fixed for calculating the compensation, and therefore the petitioner is entitled to get Rs.2,44,944/- (27 x 126 x 9 x 12 x 2/3) as compensation for the loss of yielding of rubber trees, cut and removed. It is also to be noted that the timber which were cut and removed were entrusted to the petitioner, who might have sold those valuable trees and got some amount by way of its sale. Having considered my bestowed consideration to the above all aspects especially taking note of the age of the trees cut and removed. I am of the view that the excess amount mentioned in the table referred below can be awarded for each trees. I order accordingly.

(iv) <u>Table</u>

Sl. No.	Description of trees	No. of trees	Age (years)	Compensation paid	Compensation Awarded	Excess amount awarded for each tree
1	Anjili	2	30	4800	10000	2x5000
2	Anjili	1	38	3040	5000	1x5000
3	Anjili	3	25	6000	15000	3x5000
4	Anjili	2	40	6400	10000	2x5000
5	Anjili	4	15	4800	8000	4x2000
6	Anjili	4	20	6400	8000	4x2000
7	Coconut	2	20	29292.21	29292.21	Nil
8	Mango (N.Y)	1	10	600	600	Nil
9	Mango	2	20	31740	31740	Nil
10	Jack fruit	1	25	25000	25000	Nil

11	Jack fruit	2	20	60000	60000	Nil
12	Jungle tree	4	18	2520	2520	Nil
13	Jungle tree	2	10	700	700	Nil
14	Jungle tree	4	25	3500	3500	Nil
15	Jungle tree	5	15	2625	2625	Nil
16	Jungle tree	2	20	1400	1400	Nil
17	Jungle tree	1	60	2100	2100	Nil
18	Jungle tree	2	30	2100	2100	Nil
19	Arecanut	7	15	37861.19	37861.19	Nil
20	Pappaya	3	1	7500	7500	Nil
21	Konna	5	10	1750	1750	Nil
22	Irimbipuli	2	15	1000	1000	Nil
23	Rubber	27	8	92351.42	244944	27 x 126 x 9 x 12 x 2/3
24	Pala	2	5	350	350	Nil
25	Cocco	2	7	6249	6249	Nil
26	Teak	2	35	5600	5600	2x6000
27	Pana	1	15	525	525	Nil
28	Vatta	4	10	1400	1400	Nil
29	Valanpuli	1	25	15000	15000	Nil
30	Mahagani	2	18	2880	2880	2x2000
31	Muringa	1	12	8000	8000	Nil
32	Aatha	1	10	3200	3200	Nil
33	Pepper	7	6	17958.5	17958.5	Nil
34	Vatta sappling	6	3	630	630	Nil
35	Anjili sappling	8	4	2560	2560	Nil
36	Pappaya sappling	3	6	270	270	Nil
18	Total			398102.32	575254.9	

(v) Thus, the petitioner is entitled to get a total compensation of **₹5,75,255/-** for the value of trees and expected yields. The compensation already awarded and given to the petitioner under this head is liable to be to be deducted.

In the result, **OP(E)No.31/2021 is disposed of as follows:**

2) Directing the respondents concerned to pay a sum of **₹5,75,255/-/-, (Rupees Five Lakhs Seventy five Thousand Two Hundred & Fifty Five only),** together with interest at the rate of 7% per annum, from the date of petition till its realisation, with proportionate costs of the petitioner. The amount already awarded and paid by the respondents shall be deducted from the above said amount and interest is to be calculated for the excess amount awarded as per this order.

30.(i). OP(E) No.32/2021 : The petitioner is the owner in possession and enjoyment of the property comprised in resurvey No. 293/9 of Kooroppada Village and in connection with the drawal of transmission line through the neighbouring property, the yielding trees standing in his property were cut and removed. Hence he claims compensation for the loss of yielding trees.

(ii). As regards the compensation for the trees which are cut and removed from the property of the petitioner is concerned, it is to be noted that as per Ext.B86 mahazar, it seems that plantain plants (Vaazha) - 50, were cut and removed from the property of the petitioner and to which an amount of Rs.20,700/- was awarded as compensation as per Ext.B88 DVS. Having considered the compensation awarded as per Ext.B88, I am of the perception that the amount of compensation already awarded by the respondents to the petitioner is sufficient and reasonable under the above head. I order accordingly.

In the result, OP(E)No.32/2021 stands dismissed

31.(i). **OP(E) No.34/2021 :** The petitioner is the owner in possession and enjoyment of the property comprised in resurvey No. 339/1-2-1 of Ayarkunnam Village over which high tension electric line was drawn by the respondents. The DVS produced by the respondents would go to show that the affected area in OP(E) 34/2021 is only to an extent of **3.29** ares. No contra evidence is available on record to show otherwise. Therefore, I am of the view that the affected area as measured out by the respondents will have to be accepted. Hence as per the fair value fixed by the government as per Ext.B93, the petitioner is entitled to get an amount of **Rs.2,63,200/-** (40000 x4x 3.29 x 50%) as compensation for the diminution in value of the land and its restrictive use. I order accordingly. The compensation already awarded and given to the petitioner under this head is liable to be deducted.

(ii). As regards the compensation for the trees which are cut and removed from the property of the petitioner is concerned, it is to be noted that as per Ext.B90 mahazar, it seems that Rubber - 29, Anjili -6, Vatta - 1, Teak -1 were cut and removed from the property of the petitioner which is also reflected from Ext.B91 DVS also.

(iii).As regards the determination of compensation for yielding rubber trees is concerned, it is to be noted that a rubber tree would normally begin yielding from its 7th year. An average, conventional rubber tree would give yield around 8 to 10 kg of latex for a minimum period of 20 years. Hence, the average yield from the trees can be fixed as 9 litres of latex a year. In the absence of any independent proof the highest net return value, specified in Ext.B91 DVS ie., Rs.126/- can be taken as the prevailing market price. One-third of the income generated from the rubber trees can be deducted towards the expenses incurred. Since the trees cut and removed were only **12** years of age, a multiplier 8 can be fixed for calculating the compensation, and therefore the petitioner is entitled to get get **Rs.1,75,392/-** (29 x 126 x 9 x 8 x 2/3) as compensation for the loss of yielding of rubber trees cut and removed. It is also to be noted that the timber which were cut and removed were entrusted to the petitioner, who might have sold those valuable trees and got some amount by way of its sale.Having considered my bestowed consideration to the above all aspects especially taking note of the age of the trees cut and removed. I am of the view that the excess amount mentioned in the table referred below can be awarded for each trees. I order accordingly.

(iv) <u>Table</u>

Sl. No.	Description of trees	No. of trees	Age (years)	Compensation paid	Compensation Awarded	Excess amount awarded for each tree
1	Rubber	29	12	105028.7	175392	29 x 126 x 9 x 8 x 2/3
2	Anjili	4	6	1920	1920	Nil
3	Anijili	2	9	1440	1440	Nil
4	vatta	1	5	175	175	Nil
5	Teak	1	6	480	480	Nil
	Total			109043.7	179407	

(v). Thus, the petitioner is entitled to get a total compensation of **₹1,79,407/-** for the value of trees and expected yields. The compensation already awarded and given to the petitioner under this head is liable to be to be deducted.

In the result, **OP(E)No.34/2021 is disposed as above**

32. (i). **<u>OP(E) No.35/2021 :</u>** The petitioner is the owner in possession and enjoyment of the property comprised in resurvey No. 293/9 of Kooroppada Village and in connection with the drawal of transmission line through the neighbouring property, the yielding trees and timbers standing in his property were cut and removed. Hence he claims compensation for the loss of yielding trees and timbers.

(ii). As regards the compensation for the trees which are cut and removed from the property of the petitioner is concerned, it is to be noted that as per Ext.B95 mahazar, it seems that Rubber - 20, Mahagany - 22, Coconut -4, Anjili - 9, Jack fruit - 1, Jungle tree -1, Pappaya -1, Maruthu -1, Pepper - 47, Maracheeni -5, Pappaya sappling - 10, Pana sappling -12, Anjili sappling - 6, Rubber sappling - 4, Coffee sappling - 25, Pongiliyam sappling - 1, Pepper sappling- 18, Arecanut sappling -10, Coconut sappling - 3 were cut and removed from the property of the petitioner which is also reflected from Ext.B49 DVS also.

(iii). As regards the determination of compensation for yielding rubber trees is concerned, it is to be noted that a rubber tree would normally begin yielding from its 7th year. An average, conventional rubber tree would give yield around 8 to 10 kg of latex for a minimum period of 20 years. Hence, the average yield from the trees can be fixed as 9 litres of latex a year.In the absence of any independent proof the highest net return value, specified in Ext.B96 DVS ie., Rs.126/- can be taken as the prevailing market price. One-third of the income generated from the rubber trees can be deducted towards the expenses incurred. Since the trees cut and removed were only **8** years of age, a multiplier **12** can be fixed for calculating the compensation, and therefore the petitioner is entitled to get Rs.**2,17,728/-** (24 x 126 x 9 x 12 x 2/3)as compensation for the loss of yielding of rubber trees cut and removed. It is also to be noted that the timber which were cut and removed were entrusted to the petitioner, who might have sold those valuable trees and got some amount by way of its sale. Having considered my bestowed consideration to the above all aspects especially taking note of the age of the trees cut and removed. I am of the view that the excess amount mentioned in the table referred below can be awarded for each trees. I order accordingly.

(iv) <u>Table</u>

Sl. No.	Description of trees	No. of trees	Age (years)	Compensation paid	Compensation Awarded	Excess amount awarded for each tree
1	Anjili	4	35	11200	11200	4x5000
2	Anjili	1	38	3040	3040	1x5000
3	Anjili	1	45	3600	3600	1x5000
4	Anjili	3	10	2400	2400	3x2000
5	Mahagani	13	15	15600	15600	13x2000
6	Mahagani	4	35	11200	11200	4x5000
7	Mahagani	5	30	12000	12000	5x5000
8	Rubber	24	8	88671.17	217728	24 x 126 x 9 x 12 x 2/3
9	Coconut	4	12	70312.05	70312.05	Nil
10	Jack fruit	1	28	35000	35000	Nil
11	Jungle tree	1	10	350	350	Nil
12	Pappaya	4	8	15000	15000	Nil
13	Maruth	1	35	1225	1225	Nil
14	Pepper	21	15	58984.53	58984.53	Nil
15	Pepper (N.Y)	44	5	8800	8800	Nil
16	Aatha	1	10	800	800	Nil
17	Pappaya sappling	7	4	280	280	Nil
18	Pana sappling	12	4	1680	1680	Nil
19	Anjili sappling	6	4	1920	1920	Nil
20	Coffee	20	10	31623.24	31623.24	Nil
21	Maracheeni	5	3	232.5	232.5	Nil
22	Perumaram sappling	1	4	140	140	Nil
23	Arecanut sappling	10	4	500	500	Nil
24	Coconut	3	4	750	750	Nil

	sappling					
	Total			375308.49	504365.32	

(v) Thus, the petitioner is entitled to get a total compensation of **₹5,04,365/-** for the value of trees and expected yields. The compensation already awarded and given to the petitioner under this head is liable to be to be deducted.

In the result, **<u>OP(E)No.35/2021 is disposed of as follows:</u>**

2) Directing the respondents concerned to pay a sum of **₹5,04,365/-, (Rupees Five Lakhs Four Thousand Three Hundred & Sixty Five only),** together with interest at the rate of 7% per annum, from the date of petition till its realisation, with proportionate costs of the petitioner. The amount already awarded and paid by the respondents shall be deducted from the above said amount. The interest is ordered to be calculated for the excess amount awarded as per this order.

33.(i). **<u>OP(E) No.38/2021 :</u>** The petitioner is the owner in possession and enjoyment of the property comprised in resurvey No. 234/6-5-1 of Kooroppada Village over which an electric line was drawn by the respondents. The sketch produced by the respondents would go to show that the affected area in OP(E) 38/2021 is only to an extent of **9.87** ares. No contra evidence is available on record to show otherwise. Therefore, I am of the view that the affected area as measured out by the respondents will have to be accepted. Hence as per the fair value fixed by the government as per Ext.B100, the petitioner is entitled to get an amount **Rs.7,89,600/-** (40000 x4x9.87 x 50%) as compensation for the diminution in value of the land and its restrictive use.I order accordingly. he compensation already awarded and given to the petitioner under this head is liable to be deducted.

(ii). As regards the compensation for the trees which are cut and removed from the property of the petitioner is concerned, it is to be noted that as per Ext.B98 mahazar, it seems that Rubber - 43, Mahagany - 9, Teak -8, Anjili - 7,Jungle tree - 2, Cashew tree -1, Jack fruit -2, Vazhana -2, Pathimukam -1, Coconut -9, Arecanut - 4, Muringa -5, Guvava -1, Mango -2,Karivep - 6, Kudampuli -6, Pepper -1 were cut and removed from the property of the petitioner which is also reflected from Ext.B99 DVS also.

(iii) As regards the determination of compensation for yielding rubber trees is concerned, it is to be noted that a rubber tree would normally begin yielding from its 7th year. An average, conventional rubber tree would give yield around 8 to 10 kg of latex for a minimum period of 20 years. Hence, the average yield from the trees can be fixed as 9 litres of latex a year. In the absence of any independent proof the highest net return value, specified in Ext.B99 DVS ie., Rs.126/- can be taken as the prevailing market price. One-third of the income generated from the rubber trees can be deducted towards the expenses incurred. Since the trees cut and removed were only **10** years of age, a multiplier 10 can be fixed for calculating the compensation, and therefore the petitioner is entitled to get Rs.**3,25,080/-** (43 x 126 x 9 x 10 x 2/3) as compensation for the loss of yielding of rubber trees cut and removed. It is also to be noted that the timber which were cut and removed were entrusted to the petitioner, who might have sold those valuable trees and got some amount by way of its sale. Having considered my bestowed consideration to the above all aspects especially taking note of the age of the trees cut and removed. I am of the view that the excess amount mentioned in the table referred below can be awarded for each trees. I order accordingly.

(iv) Table

Sl. No.	Description of trees	No. of trees	Age (years)	Compensation paid	Compensation Awarded	Excess amount awarded for each tree
1	Rubber	43	9	143179.75	325080	43 x 126 x 9 x 10 x 2/3
2	Mahagani	4	20	6400	6400	4x5000
3	Mahagani	5	12	4800	4800	5x2000
4	Teak	3	20	4800	4800	3x6000
5	Teak	3	15	3600	3600	3x3000
6	Teak	2	30	4800	4800	2x6000
7	Anjili	1	30	2400	2400	1x5000
8	Anjili	4	20	6400	6400	4x5000
9	Anjili	2	10	1600	1600	2x2000
10	Jungle tree	2	10	700	700	Nil
11	Cashew tree	1	18	13125	13125	Nil
12	Vazhana	2	10	700	700	Nil
13	Jack fruit (V)	1	15	12500	12500	Nil
14	Jack fruit (V)	1	8	7500	7500	Nil
15	Pathimukam	1	9	1500	1500	Nil
16	Coconut	9	12	177867.7	177867.7	Nil
17	Arecanut	4	12	16470.64	16470.64	Nil
18	Muringa	5	10	4000	4000	Nil

19	Pera	1	10	2800	2800	Nil
20	Mango (N)	1	18	6348	6348	Nil
21	Mango (N)	1	10	3968	3968	Nil
22	Karivep	6	12	1200	1200	Nil
23	Kudampuli	6	4	5040	5040	Nil
24	Pepper	1	15	2027	2027	Nil
	Total			433726.09	615626.34	

(v). Thus, the petitioner is entitled to get a total compensation of **₹6,15,626/-** for trees. The compensation already awarded and given to the petitioner under this head is liable to be to be deducted.

In the result, **<u>OP(E)No.38/2021 is disposed of as follows:</u>**

2) Directing the respondents concerned to pay a sum of **₹14,05,226/-, (Rupees Fourteen Lakhs Five Thousand Two Hundred & Twenty Six only),** together with interest at the rate of 7% per annum, from the date of petition till its realisation, with proportionate costs of the petitioner. The amount already awarded and paid by the respondents shall be deducted from the above said amount. The interest is ordered to be calculated for the excess amount awarded as per this order.

34.(i). <u>OP(E) No.39/2021 :</u> The petitioner is the owner in possession and enjoyment of the property comprised in resurvey No. 293/9-2-2 of Kooroppada Village over which an electric line was drawn by the respondents. The sketch produced by the respondents would go to show that the affected area in OP(E) 39/2021 is only to an extent of **5.12** ares. No contra evidence is available on record to show otherwise. Therefore, I am of the view that the affected area as measured out by the respondents will have to be accepted. Hence as per the fair value fixed by the government as per Ext.B106, the petitioner is entitled to get an amount of **Rs.10,24,000/-**(100000 x4x5.12 x 50%) as compensation for the diminution in value of the land and its restrictive use.I order accordingly.The compensation already awarded and given to the petitioner under this head is liable to be deducted.

(ii).As regards the compensation for the trees which are cut and removed from the property of the petitioner is concerned, it is to be noted that as per Ext.B103 mahazar, it seems that Rubber - 99, Pappaya - 1, Pepper -2, Mahagany – 10,Anjili – 10, Vatta – 2, Vazha -80, Arecanut – 10, Marachini – 20, Chempu -25 were cut and removed from the property of the petitioner which is also reflected from Ext.B49 DVS also.

(iii). As regards the determination of compensation for yielding rubber trees is concerned, it is to be noted that a rubber tree would normally begin yielding from its 7th year. An average, conventional rubber tree would give yield around 8 to 10 kg of latex for a minimum period of 20 years. Hence, the average yield from the trees can be fixed as 9 litres of latex a year. In the absence of any independent proof the highest net return value, specified in Ext.B104 DVS ie., Rs.126/- can be taken as the prevailing market price. One-third of the income generated from the rubber trees can be deducted towards the expenses incurred. Since the trees cut and removed were only **7** years of age, a multiplier 13 can be fixed for calculating the compensation, and therefore the petitioner is entitled to get Rs.**9,72,972/-** (99 x 126 x 9 x 13 x 2/3) as compensation for the loss of yielding of rubber trees, cut and removed. It is also to be noted that the timber which were cut and removed were entrusted to the petitioner, who might have sold those valuable trees and got some amount by way of its sale.Having considered my bestowed consideration to the above all aspects especially taking note of the age of the trees cut and removed .I am of the view that the excess amount mentioned in the table referred below can be awarded for each trees. I order accordingly.

(iv) <u>Table</u>

Sl. No.	Description of trees	No. of trees	Age (years)	Compensation paid	Compensation Awarded	Excess amount awarded for each tree
1	Rubber	99	7	304987.2	972972	99 x 126 x 9 x 13 x 2/3
2	Pappaya	1	1	3000	3000	
3	Pepper	2	6	8266.2	8266.2	
4	Mahagani	4	15	4800	8000	4x2000
5	Mahagani	5	20	8000	25000	5x5000
6	Mahagani	1	25	2000	5000	1x5000
7	Anjili	2	35	5600	10000	2x5000
8	Anjili	2	18	2880	4000	2x2000
9	Anjili	5	15	6000	10000	5x2000
10	Anjili	1	30	2400	5000	1x5000
11	Vatta	2	12	840	840	Nil
12	Vaazha (Nadan)	80	9	14750	14750	Nil
13	Aricanut	10	10	29293.65	29293.65	Nil
14	Marachini	20	6	2250	2250	Nil

15	Chembu	25	6	1137.5	1137.5	Nil
	Total			396204.55	1099509.35	

(v). Thus, the petitioner is entitled to get a total compensation of **₹10,99,509/-** for trees. The compensation already awarded and given to the petitioner under this head is liable to be to be deducted.

In the result, **OP(E)No.39/2021 is disposed of as follows:**

2) Directing the respondents concerned to pay a sum of **₹21,23,509/-, (Rupees Twenty One Lakhs Twenty Three Thousand Five Hundred & Nine only),** together with interest at the rate of 7% per annum, from the date of petition till its realisation, with proportionate costs of the petitioner. The amount already awarded and paid by the respondents shall be deducted from the above said amount. The interest is ordered to be calculated for the excess amount awarded as per this order.

35. (i). OP(E) No.40/2021 : The petitioner is the owner in possession and enjoyment of the property comprised in resurvey No.295/4-1-1 of Kooroppada Village over which an electric line was drawn by the respondents. The DVS produced by the respondents would go to show that the affected area in OP(E) 40/2021 is only to an extent of **0.23** ares. No contra evidence is available on record to show otherwise. Therefore, I am of the view that the affected area as measured out by the respondents will have to be accepted. Hence as per the fair value of the land fixed by the government as per Ext.B110,the petitioner is entitled to get an amount of **Rs.18,400/-** (40000 x4x0.23 x 50%) as compensation for the diminution in value of the land and its restrictive use. I order accordingly. The compensation already awarded and given to the petitioner under this head is liable to be deducted.

(ii). As regards the compensation for the trees which are cut and removed from the property of the petitioner is concerned, it is to be noted that as per Ext.B108 mahazar, it seems that Rubber - 3, Pepper -1,Vatta sapling- 14, Anjili - 22, Jungle tree -17 were cut and removed from the property of the petitioner which is also reflected from Ext.B49 DVS also.

(iii). As regards the determination of compensation for yielding rubber trees is concerned, it is to be noted that a rubber tree would normally begin yielding from its 7th year. An average, conventional rubber tree would give yield around 8 to 10 kg of latex for a minimum period of 20 years. Hence, the average yield from the trees can be fixed as 9 litres of latex a year.In the absence of any independent proof the highest net return value, specified in Ext.B109 detailed valuation statement ie., Rs.126/- can be taken as the prevailing market price. One-third of the income generated from the rubber trees can be deducted towards the expenses incurred.Since the trees cut and removed were only **12** years of age, a multiplier **8** can be fixed for calculating the compensation, and therefore the petitioner is entitled to get **Rs.18,144/-** (3 x 126 x 9 x 8 x 2/3) as compensation for the loss of yielding of rubber trees, cut and removed. It is also to be noted that the timber which were cut and removed were entrusted to the petitioner, who might have sold those valuable trees and got some amount by way of its sale.Having considered my bestowed consideration to the above all aspects especially taking note of the age of the trees cut and removed. I am of the view that the excess amount mentioned in the table referred below can be awarded for each trees.I order accordingly.

(iv). Table

Sl. No.	Description of trees	No. of trees	Age (years)	Compensation paid	Compensation Awarded	Excess amount awarded for each tree
1	Rubber	3	8	10074.7	18144	3 x 126 x 9 x 8 x 2/3
2	Pepper	1	8	2337.74	2337.74	Nil
3	Vatta sappling	14	4	1960	1960	Nil
4	Anjili	22	4	7040	7040	Nil
5	Jungle tree	17	4	2380	2380	Nil
	Total			23792.44	31861.74	

(v). Thus, the petitioner is entitled to get a total compensation of **₹31,862/-** for the value of trees and expected yields. The compensation already awarded and given to the petitioner under this head is liable to be to be deducted.

In the result, **OP(E)No.40/2021 is disposed of as follows:**

2) Directing the respondents concerned to pay a sum of **₹50,262/-, (Rupees Five Thousand Two Hundred & Sixty Two only),** together with interest at the rate of 7% per annum, from the date of petition till its realisation, with proportionate costs of the petitioner. The amount already awarded and paid by the respondents shall be deducted from the above said amount. The interest is ordered to be calculated for the excess amount awarded as per this order.

36(i). OP(E) No.43/2021 : The petitioner is the owner in possession and enjoyment of the property comprised in resurvey No. 301/1-1, 301/1-2,301/2-2-1-2,301/2-2-1-1 of Kooroppada Village over which an electric line was drawn by the respondents. The DVS produced by the respondents would go to show that the affected area in OP(E) 43/2021 is an extent of **4.35** ares.No contra evidence is available on record to show otherwise. Therefore, I am of the view that the affected area as measured out by the respondents will have to be accepted. Hence as per the fair value fixed by the government as per Ext.B116, the petitioner is entitled to get an amount of **Rs.2,61,000/-** (30000 x4x4.35 x 50%) as compensation for the diminution in value of the land and its restrictive use. I order accordingly.The compensation already awarded and given to the petitioner under this head is liable to be deducted.

(ii).As regards the compensation for the trees which are cut and removed from the property of the petitioner is concerned, it is to be noted that as per Ext.B113 mahazar, it seems that Mahagany - 14, Coffee - 8, Panjimaram -1, Jungle trees - 4,Jack fruit - 3, Anjili - 4,Vatta - 3,Pappaya - 10, Veppu -1, Mango - 2, Champa -1, Peramaram -1, Rubber - 2, Pongiliyam -1, Pepper -42 were cut and removed from the property of the petitioner which is also reflected from Ext.B114 DVS also.

(iii). As regards the determination of compensation for yielding rubber trees is concerned, it is to be noted that a rubber tree would normally begin yielding from its 7th year.An average, conventional rubber tree would give yield around 8 to 10 kg of latex for a minimum period of 20 years.Hence, the average yield from the trees can be fixed as 9 litres of latex a year. In the absence of any independent proof the highest net return value, specified in Ext.B114 DVS ie., Rs.126/-can be taken as the prevailing market price.One-third of the income generated from the rubber trees can be deducted towards the expenses incurred. Since the trees cut and removed were only 8 years of age, a multiplier 12 can be fixed for calculating the compensation, and therefore the petitioner is entitled to get Rs.18,144/- (2 x 126 x 9 x 12 x 2/3) as compensation for the loss of yielding of rubber trees, cut and removed. It is also to be noted that the timber which were cut and removed were entrusted to the petitioner, who might have sold those valuable trees and got some amount by way of its sale. Having considered my bestowed consideration to the above all aspects especially taking note of the age of the trees cut and removed. I am of the view that the excess amount mentioned in the table referred below can be awarded for each trees. I order accordingly.

(iv) Table

Sl. No.	Description of trees	No. of trees	Age (years)	Compensation paid	Compensation Awarded	Excess amount awarded for each tree
1	Mahagani	2	30	4800	10000	2x5000
2	Mahagani	8	10	6400	16000	8x2000
3	Mahagani	4	5	1600	1600	Nil
4	Pepper	20	8	58442.57	58442.57	Nil
5	Pepper (N.Y)	22	2	1760	1760	Nil
6	Coffee	8	8	8453.39	8453.39	Nil
7	Panjimaram	1	20	700	700	Nil
8	Jungle tree	3	10	1050	1050	Nil
9	Jungle tree	1	15	525	525	Nil
10	Jack fruit (V)	1	30	30000	30000	Nil
11	Jack fruit (N.Y)	2	6	720	720	Nil
12	Anjili	2	30	4800	10000	2x5000
13	Anjili	2	15	2400	4000	2x2000
14	Vatta	3	10	1050	1050	Nil
15	Pappaya	10	9	15000	15000	Nil
16	Veppu	1	8	280	280	Nil
17	Mango (N)	1	18	7935	7935	Nil
18	Mango (N.Y)	1	5	300	300	Nil
19	Champa	1	8	2000	2000	Nil
20	Peramaram	1	8	1050	1050	Nil
21	Rubber	2	8	6716.47	18144	2 x 126 x 9 x 12 x 2/3
22	Perumaram	1	15	525	525	Nil
	Total			156507.43	189534.96	

(v). Thus, the petitioner is entitled to get a total compensation of **₹1,89,535/-** for the value of trees and expected yields. The compensation already awarded and given to the petitioner under this head is liable to be to be deducted.

In the result, **OP(E)No.43/2021 is disposed of as follows:**

2) Directing the respondents concerned to pay a sum of **₹4,50,535/-, (Rupees Forty Five Lakhs Five Hundred & Thirty Five only),** together with interest at the rate of 7% per annum, from the date of petition till its realisation, with proportionate costs of the petitioner. The amount already awarded and paid by the respondents shall be deducted from the above said amount. The interest is ordered to be calculated for the excess amount awarded as per this order.

37. (i). OP(E) No.44/2021 : The petitioner is the owner in possession and enjoyment of the property comprised in resurvey No. 301/2-1, 301/2-2-1 of Kooroppada Village over which an electric line was drawn by the respondents. The sketch produced by the respondents would go to show that the affected area in OP(E) 44/2021 is an extent of **1.15** ares No contra evidence is available on record to show otherwise. Therefore, I am of the view that the affected area as measured out by the respondents will have to be accepted. Hence as per the fair value fixed by the government as per Ext.B121, the petitioner is entitled to get an amount of **Rs.69,000/-** (30000 x4x1.15 x 50%) as compensation for the diminution in value of the land and its restrictive use. I order accordingly. The compensation already awarded and given to the petitioner under this head is liable to be deducted.

(ii). As regards the determination of compensation for the trees which are cut and removed from the property of the petitioner is concerned, it is to be noted that as per Ext.B118 mahazar, it seems that Jack fruit - 2, Anjili - 8, Arecanut -1, Mahagany - 5, Coffee - 5, Coconut -3, Mango -1, Kudampuli -1, Jungle trees - 3, Murikku -1,Vatta - 5,Peramaram -1, Pepper -26, Coconut sappling -3, Coffee sappling -18, Pepper sappling -18, Mahagany sappling -15, Kudampuli sappling -1 were cut and removed from the property of the petitioner which is also reflected from Ext.B118 DVS. It is to be noted that the timbers which were cut and removed were entrusted to the petitioner, who might have sold those valuable trees and got some amount by its sale. Having considered my bestowed consideration to the above all aspects especially taking note of the age of the trees which are cut and removed from the property of the petitioner, I am of the view that the excess amount stated in the column mentioned below can be awarded for each trees. I order accordingly.

(iii).Table

Sl. No.	Description of trees	No. of trees	Age (years)	Compensation paid	Compensation Awarded	Excess amount awarded for each tree
1	Jack fruit(V)	1	25	30000	30000	Nil
2	Jack fruit (V)	1	20	20000	20000	Nil
3	Anjili	1	25	2000	5000	1x5000
4	Anjili	3	12	2880	6000	3x2000
5	Anjili	4	15	4800	8000	4x2000
6	Arecanut	1	6	80	80	Nil
7	Mahagani	1	18	1440	2000	1x2000
8	Mahagani	4	12	3840	8000	4x2000
9	Coffee	5	6	5298.22	5298.22	Nil
10	Coconut	3	15	59085.58	59085.58	Nil
11	Mango (N)	1	15	3174	3174	Nil
12	Kudampuli	1	10	600	600	Nil

	(N.Y)					
13	Jungle tree	3	5	525	525	Nil
14	Murikka	1	6	210	210	Nil
15	Vatta	5	10	1750	1750	Nil
16	Peramaram	1	10	2800	2800	Nil
17	Coconut	3	5	900	900	Nil
18	Mahagani sappling	15	3	3600	3600	Nil
19	Kudampuly (N.Y)	1	5	300	300	Nil
20	Pepper sappliing	18	1	720	720	Nil
21	Pepper	15	8	35065.54	35065.54	Nil
22	Pepper (N.Y)	11	1	440	440	Nil
23	Coffee sappling	18	2	540	540	Nil
	Total			180048.34	194088.34	

(v). Thus,the petitioner is entitled to get a total compensation of **₹1,94,088/-** for the value of trees and expected yields. The compensation already awarded and given to the petitioner under this head is liable to be to be deducted.

In the result, **<u>OP(E)No.44/2021 is disposed of as follows:</u>**

2. Directing the respondents concerned to pay a sum of **₹2,63,088/-, (Rupees Two Lakhs Sixty Three Thousand & Eighty Eight only),** together with interest at the rate of 7% per annum, from the date of petition till its realisation, with proportionate costs of the petitioner. The amount already awarded and paid by the respondents shall be deducted from the above said amount. The interest is ordered to be calculated for the excess amount awarded as per this order.

38.(i). <u>OP(E) No.55/2021 :</u> The petitioner is the owner in possession and enjoyment of the property comprised in resurvey No. 301/1-1-1 of Kooroppada Village over which an electric line was drawn by the respondents. The sketch produced by the respondents would go to show that the affected area in OP(E) 55/2021 is an extent of **0.45** ares. No contra evidence is available on record to show otherwise. Therefore, I am of the view that the affected area as measured out by the respondents will have to be accepted. Hence as per the fair value fixed by the government as per Ext.B126, the petitioner is entitled to get an amount of **Rs.27,000/-** (30000 x4x0.45 x 50%) as compensation for the diminution in value of the land and its restrictive use. I order accordingly.The compensation already awarded and given to the petitioner under this head is liable to be deducted.

(ii). As regards the compensation for the trees which are cut and removed from the property of the petitioner is concerned, it is to be noted that as per Ext.B124 mahazar, it seems that Mahagany - 6, Anjili - 13, Jungle trees - 2, Jack fruit - 2,Teak -1, Coffee - 14, Coconut-1, Vatta - 1,Pappaya -2, Pepper -14, Pepper -14, Rubber sappling -8, Mahagany sappling -8, Jack fruit sappling -2, Coconut sappling - 2 were cut and removed from the property of the petitioner which is also reflected from Ext.B124 DVS also.

(iii). As regards the determination of compensation for yielding rubber trees is concerned, it is to be noted that a rubber tree would normally begin yielding from its 7th year. Since the trees cut and removed from the property of the petitioner, it seems that the trees cut and removed were only 4 years of age, and have an amount of Rs.800/- each can be fixed for calculating the compensation and therefore the petitioner is entitled to get **Rs.6400/-** (8x

800) as compensation for the loss of yielding of rubber trees, cut and removed. It is also to be noted that the timber which were cut and removed were entrusted to the petitioner, who might have sold those valuable trees and got some amount by way of its sale. Having considered my bestowed consideration to the above all aspects especially taking note of the age of the trees cut and removed. I am of the view that the excess amount mentioned in the table referred below can be awarded for each trees. I order accordingly.

(iv) <u>Table</u>

Sl. No.	Description of trees	No. of trees	Age (years)	Compensation paid	Compensation Awarded	Excess amount awarded for each tree.
1	Mahagani	3	10	2400	6000	3x2000
2	Mahagani	2	20	3200	10000	2x5000
3	Mahagani	1	25	2000	5000	1x5000
4	Anjili	3	25	6000	15000	03x5000
5	Anjili	2	30	4800	10000	2x5000
6	Anjili	8	18	9600	16000	8x2000
7	Jungle tree	2	12	840	840	Nil
8	Jack fruit (V)	1	30	30000	30000	Nil
9	Jack fruit	1	10	600	600	Nil
10	Teak	1	15	1200	1200	Nil
11	Vatta	1	15	525	525	Nil
12	Pappaya	2	1	4500	4500	Nil

13	Pepper	14	6	35917	35917	Nil
14	Coconut	1	20	17575.7	17575.7	Nil
15	Coffee	2	10	3167.01	3167.01	Nil
16	Coffee	12	6	10587.04	10587.04	Nil
17	Rubber sappling	8	4	3400	6400	Nil
18	Mahagani sappling	8	4	2560	2560	Nil
19	Jack fruit (N.Y)	2	3	360	360	Nil
20	Coconut sappling	2	4	500	500	Nil
	Total			139731.75	176731.75	

(v) Thus, the petitioner is entitled to get a total compensation of **₹1,76,732/-** for the value of trees and expected yields. The compensation already awarded and given to the petitioner under this head is liable to be to be deducted.

In the result, **<u>OP(E)No.55/2021 is disposed of as follows:</u>**

2.Directing the respondents concerned to pay a sum of **₹2,03,732/- (Rupees Two Lakh Three Thousand Seven Hundred and Two only),** together with interest at the rate of 7% per annum, from the date of petition till its realisation, with proportionate costs of the petitioner. The amount already awarded and paid by the respondents shall be deducted from the above said amount. The interest is ordered to be calculated for the excess amount awarded as per this order.

39.(i). OP(E) No.56/2021 : The petitioner is the owner in possession and enjoyment of the property comprised in resurvey No. 294/6-1, 294/17-1 of Kooroppada Village over which an electric line was drawn by the respondents. The sketch produced by the respondents would go to show that the affected area in OP(E) 56/2021 is an extent of **4.87** ares. No contra evidence is available on record to show otherwise. Therefore, I am of the view that the affected area as measured out by the respondents will have to be accepted. Hence as per the fair value fixed by the government as per Ext.B130,the petitioner is entitled to get an amount of **Rs.2,92,200/-** (30000 x4x4.87 x 50%) as compensation for the diminution in value of the land and its restrictive use. I order accordingly. The compensation already awarded and given to the petitioner under this head is liable to be deducted.

(ii).As regards the compensation for the trees which are cut and removed from the property of the petitioner is concerned, it is to be noted that as per Ext.B127 mahazar, it seems that Coconut-5, Arecanut -3,Jack fruit - 3, Pongaliyam -3, Anjili - 26, Mahagany - 2, Teak -3, Jungle trees - 2, Pana -2, Vatta - 2,Pepper -7, Coffee - 35, Arecanut sappling -2, Anjili sappling -4, Mahagany sappling -6, Rubber -47 were cut and removed from the property of the petitioner which is also reflected from Ext.B114 DVS also.

(iii). As regards the determination of compensation for yielding rubber trees is concerned, it is to be noted that a rubber tree would normally begin yielding from its 7th year. An average, conventional rubber tree would give yield around 8 to 10 kg of latex for a minimum period of 20 years. Hence, the average yield from the trees can be fixed as 9 litres of latex a year. In the absence of any independent proof the highest net return value, specified in Ext.B114 DVS ie., Rs.126/- can be taken as the prevailing market price. One-third of the income generated from the rubber trees can be deducted towards the expenses incurred. Since the trees cut and removed from the property of the petitioner were only **15** years of age, a multiplier **5** can be fixed for calculating the compensation. Therefore the petitioner is entitled to get Rs.**1,77,660/-** (47 x 126 x 9 x 5 x 2/3) as compensation for the loss of yielding of rubber trees, cut and removed. It is also to be noted that the timber which were cut and removed were entrusted to the petitioner, who might have sold those valuable trees and got some amount by way of its sale. Having considered my bestowed consideration to the above all aspects especially taking note of the age of the trees cut and removed. I am of the view that the excess amount mentioned in the table referred below can be awarded for each trees. I order accordingly.

(iv) <u>Table</u>

Sl. No.	Description of trees	No. of trees	Age (years)	Compensation paid	Compensation Awarded	Excess amount awarded for each tree
1	Coconut	5	15	106354.01	106354.01	Nil
2	Arecanut	3	15	12169.69	12169.69	Nil
3	Jack fruit	2	20	40000	40000	Nil
4	Jack fruit	1	28	30000	30000	Nil

5	Perumaram	3	10	1050	1050	Nil
6	Anjili	3	30	7200	15000	3x5000
7	Anjili	15	12	14400	30000	15x2000
8	Anjili	6	20	9600	30000	6x5000
9	Anjili	2	30	4800	10000	2x5000
10	Mahagani	2	10	1600	4000	2x2000
11	Teak	3	10	2400	9000	3x3000
12	Jungle tree	2	10	1400	1400	Nil
13	Pana	2	10	700	700	Nil
14	Vatta	2	10	700	700	Nil
15	Pepper	7	15	15202.26	15202.26	Nil
16	Coffee	35	10	57980.63	57980.63	Nil
17	Arecanut sapling	2	4	100	100	Nil
18	Anjili sapling	4	4	1280	1280	Nil
19	Mahagani sapling	6	4	1920	1920	Nil
20	Rubber	47	15	140920.23	177660	47 x 126 x 9 x 5 x 2/3
	Total			449777	544517	

(v). Thus, the petitioner is entitled to get a total compensation of **₹5,44,517/-** for the value of trees and expected yields. The compensation already awarded and given to the petitioner under this head is liable to be to be deducted.

In the result, OP(E)No.56/2021 is disposed of as follows:

2. Directing the respondents concerned to pay a sum of **₹8,36,717/-, (Rupees Eighty Lakhs Thirty Six Thousand Seven Hundred & Seventeen only),** together with interest at the rate of 7% per annum, from the date of petition till its realisation, with proportionate costs of the petitioner. The amount already awarded and paid by the respondents shall be deducted from the above said amount. The interest is ordered to be calculated for the excess amount awarded as per this order.

40.(i). <u>OP(E) Nos.57/2021, 58/2021 & 59/2021 :</u> The petitioners in the above cases are one and same person. He is the owner in possession and enjoyment of the properties comprised in resurvey Nos. 296/2 of Kooroppada Village over which an electric line was drawn by the respondents. The sketch produced by the respondents would go to show that the affected area in OP(E) No.57/2021 is only an extent of 1.78 ares, and in OP(E) No. 59/2021 it an extent of 5.97 ares. Hence the total affected area in OP(E) Nos.57/2021 & 59/2021 is **7.75** ares.Further in OP(E) Nos.58/2021,an extendt of **5.02** ares of land was taken to erect a tower in the property. No contra evidence is available on record to show otherwise. Therefore, I am of the view that the affected area as measured out by the respondents will have to be accepted. Hence as per the fair value fixed by the government as per Ext.**B116,** the petitioner is entitled to get an amount of Rs.**4,65,000/-** (30000 x4x 7.75x 50%) as compensation for the diminution in value of the land and its restrictive use. The compensation already awarded and given to the petitioner under this head is liable to be deducted. It is to be noted the at an extent of 5.02 ares of land was taken to erect a tower in his property and to which 5 times of the fair value is seen awarded to the petitioner and the said amount is found to be sufficient, but the respondents are not entitled to get any excess amount refunded mainly on the ground that this court has fixed the market value only 4 times of the fair value. I order accordingly.

(ii). As regards the compensation for the trees which are cut and removed from the property of the petitioner is concerned, it is to be noted that as per Ext.B132, B132(a) & B132(b) mahazars, it seems that Rubber -114, Anjili - 9,Coconut -2, Arecanut -2,Vatta - 1, Teak -2, Jack fruit - 2;Coconut -1, Cunda Pana -2, Rubber -6; Jack fruit - 3, Mula (Bamboo)10, Anjili -2, Champa -1, Vatta - 1,Coconut - 2,Rubber -23, Kudampuli -1, Pana, Arecanut -3, Anjili -1, Coffee -1, Anjili sappling -1,Kudampuli sappling -2; were cut and removed from the property of the petitioner which is also reflected from Ext.B133, B133(a) &B133(b) DVS also.

(iii). As regards the determination of compensation for yielding rubber trees is concerned, it is to be noted that a rubber tree would normally begin yielding from its 7th year.An average, conventional rubber tree would give yield around 8 to 10 kg of latex for a minimum period of 20 years. Hence, the average yield from the trees can be fixed as 9 litres of latex a year. In the absence of any independent proof the highest net return value, specified in Ext. B133(a) &B133(b) DVS ie., Rs.126/- can be taken as the prevailing market price. One-third of the income generated from the rubber trees can be deducted towards the expenses incurred. Since the trees cut and removed were only **10 and 12** years of age, an average multiplier 11 can be fixed for calculating the compensation, and therefore the petitioner is entitled to get **Rs.9,07,200/-** (120 x 126 x 9 x 10 x 2/3) as compensation for the loss of yielding of rubber trees, cut and removed. It is also to be noted that the timber which were cut and removed were entrusted to the petitioner, who might have sold those valuable trees and got some amount by way of its sale. Having considered my bestowed consideration to the above all aspects especially taking note of the age of the trees cut and removed. I am of the view that the excess amount mentioned in the table referred below can be awarded for each trees. I order accordingly.

(iv) <u>Table</u>

Sl. No.	Description of trees	No. of trees	Age (years)	Compensation paid	Compensation Awarded	Excess amount awarded for each tree
1	Rubber	120	10	398622.14	907200	120 x 126 x 9 x 10 x 2/3
2	Anjili	1	18	1440	2000	1x2000

3	Anjili	5	15	6000	10000	5x2000
4	Anjili	1	30	2400	5000	1x5000
5	Anjili	2	10	1600	4000	2x2000
6	Coconut	2	12	20877.23	20877.23	Nil
7	Arecanut	2	12	2906.58	2906.58	Nil
8	Vatta	1	10	350	350	Nil
9	Teak	2	3	480	480	Nil
10	Jack fruit	1	15	15000	15000	Nil
11	Jack fruit	1	20	20000	20000	Nil
12	Coconut	1	16	23600.67	23600.67	Nil
13	Chunda Pana	1	20	10800	10800	Nil
14	Chunda Pana	1	20	10800	10800	Nil
	Total			514876.62	1033014	

(v). Thus, the petitioner is entitled to get a total compensation of **₹10,33,014/-** for the value of trees and expected yields. The compensation already awarded and given to the petitioner under this head is liable to be to be deducted.

In the result, **OP(E) Nos.57/2021, 58/2021 & 59/2021 are disposed of as follows:**

2.Directing the respondents concerned to pay a sum of **₹14,98,014/-, (Rupees Fourteen Lakhs Ninety Eight Thousand & Fourteen only),** together with interest at the rate of 7% per annum, from the date of petition till its realisation, with proportionate costs of the petitioner. The amount already awarded and paid by the respondents shall be deducted from the above said amount. The interest is ordered to be calculated for the excess amount awarded as per this order.

41.i).**OP(E) No.60/2021 & 61/2021 :** The petitioners in the above cases are one and same person. He is the owner in possession and enjoyment of the property comprised in resurvey No.65/4,65/4-2, 65/4-3 of Kooroppada Village over which an electric line was drawn by the respondents. The DVS produced by the respondents would go to show that the affected area in **60/2021 & 61/2021** are an extent of 4.17 ares, and 13.6 ares respectively. Hence the total affected area is an extent of **17.77** ares.Further in OP(E) No.60/2021, an extent of **0.95** ares of land was taken to erect a tower in the property. No contra evidence is available on record to show otherwise. Therefore, I am of the view that the affected area as measured out by the respondents will have to be accepted. Hence as per the fair value fixed by the government as per Ext.B144 & B142 the petitioner is entitled to get an amount of Rs.**11,28,839/-** (31762.5 x4x 17.77 x 50%) as compensation for the diminution in value of the land and its restrictive use. The compensation already awarded and given to the petitioner under this head is liable to be deducted. It is to be noted that an extent of 0.95 ares of land was taken to erect a tower in his property and to which 5 times of the fair value is seen awarded to the petitioner and the said amount is found to be sufficient, but the respondents are not entitled to get any excess amount refunded mainly on the ground that this court has fixed the market value only 4 times of the fair value. I order accordingly.

(ii). As regards the compensation for the trees which are cut and removed from the property of the petitioner is concerned, it is to be noted that as per Ext.B139 & B147 mahazars, it seems that Rubber -91, Mahagani - 71, Perumaram -17, Vatta – 6, Anjili -27, Teak – 4, Coconut -8, Mango 2, Arecanut -2,Pana -3, Jack fruit -2, Kudampuli - 1,Pepper – 70,Coffee -50, Vaazha -5, Mahagani sappling -55, Anjili sappling -10, Pana sappling -16, Pepper sappling - 5, Rubber sappling -6; Teak – 5, Mahagani - 2, Jack fruit - 2, Vazhana -1, Vatta – 5, Anjili -6, Pepper -16, Vaazha - 52, Chempu sappling -12, Kachil -15, Payar -13, Jack fruit sappling -5, Mahagani sappling -7, Teak sappling -1 were cut and removed from the property of the petitioner which is also reflected from Ext.B140 &148 DVS also.

(iii). As regards the determination of compensation for yielding rubber trees is concerned, it is to be noted that a rubber tree would normally begin yielding from its 7th year. An average, conventional rubber tree would give yield around 8 to 10 kg of latex for a minimum period of 20 years. Hence, the average yield from the trees can be fixed as 9 litres of latex a year. In the absence of any independent proof the highest net return value, specified in Ext.B140 &148 DVS ie., Rs.126/- can be taken as the prevailing market price. One-third of the income generated from the rubber trees can be deducted towards the expenses incurred. Since the trees cut and removed were only **15 & 10** years of age, an average multiplier **10** can be fixed for calculating the compensation, and therefore the petitioner is entitled to get **Rs.6,87,960/-** (91 x 126 x 9 x 10 x 2/3) for the loss of yielding of rubber trees, cut and removed. It is also to be noted that the timber which were cut and removed were entrusted to the petitioner, who might have sold those valuable trees and got some amount by way of its sale.Having considered my bestowed consideration to the above all aspects especially taking note of the age of the trees cut and removed . I am of the view that the excess amount mentioned in the table referred below can be awarded for each trees. I order accordingly.

(iv) <u>Table</u>

<u>Ext.B140</u>

Sl. No.	Description of trees	No. of trees	Age (years)	Compensation paid	Compensation Awarded	Excess amount awarded for each tree
1	Rubber	91	15, 10 Av.10	306792	687960	91 x 126 x 9 x 10 x 2/3

2	Mahagani	12	18	17280	24000	12x2000
3	Mahagani	29	12	27840	58000	29x2000
4	Mahagani	12	14	13440	24000	12x2000
5	Mahagani	8	23	14720	40000	8x5000
6	Mahagani	4	30	9600	20000	4x5000
7	Mahagani	6	33	15840	30000	6x5000
8	Mahagani	55	4	17600	17600	Nil
9	Perumaram	3	12	1260	1260	Nil
10	Perumaram	11	18	6930	6930	Nil
11	Perumaram	3	25	2625	2625	Nil
12	Vatta	3	18	1690	1890	Nil
13	Vatta	3	13	1365	1365	Nil
14	Anjili	15	8	9600	9600	Nil
15	Anjili	7	20	11200	35000	7x5000
16	Anjili	3	30	7200	15000	3x5000
17	Anjili	1	25	2000	5000	1x5000
18	Anjili	1	40	3200	5000	1x5000
19	Anjili	10	4	3200	3200	Nil
20	Teak	2	8	1280	1280	Nil
21	Teak	1	18	1440	6000	1x6000
22	Teak	1	25	2000	6000	1x6000
23	Cocunut	8	18	88353	88353	Nil
24	Mango (N)	1	30	8500	8500	Nil
25	Mango (N)	1	15	3400	3400	Nil
26	Arecanut	2	15	7635.87	7635.87	Nil
27	Pana	1	10	350	350	Nil
28	Pana	16	3	1680	1680	Nil
29	Jack fruit (V)	1	20	15000	15000	Nil
30	Jack fruit (V)	1	20	25000	25000	Nil
31	Kudampuli	1	25	42000	42000	Nil
32	Pana	1	15	525	525	Nil
33	Pepper	70	10	109660.32	109660.32	Nil
34	Pepper sappling	5	4	800	800	Nil

35	Coffee	50	10	11987.1	11987.1	Nil
36	Rubber sappling	6	5	3000	1800	6x800
37	Vaazha (Nendra)	5	10	3125	3125	Nil
38	Pana	1	20	700	700	Nil
	Total			799818.29	1322226.29	

Ext.B140

Sl. No.	Description of trees	No. of trees	Age (years)	Compensation paid	Compensation Awarded	Exess amount awarded for each tree
1	Teak	5	12	4800	15000	5x3000
2	Mahagani	2	6	960	960	Nil
3	Jack fruit (V)	2	15	30000	30000	Nil
4	Vazhana	1	5	175	175	Nil
5	Vatta	5	7	1225	1225	Nil
6	Anjili	6	12	5760	12000	6x2000
7	Pepper	16	6	158136	158136	Nil
8	Vazzha (Nendra)	52	8	10250	10250	Nil
9	Chempu	12	3	2100	2100	Nil
10	Kachil	15	3	1050	1050	Nil
11	Payar	13	3	2000	2000	Nil
12	Jackfruit sappling	5	2	600	600	Nil
13	Mahagani	7	3	1680	1680	Nil
14	Teak	1	5	400	400	Nil
	Total			219136	235576	

(v). Thus, the petitioner is entitled to get a total compensation of **₹15,57,802/-** for the value of trees and expected yields. The compensation already awarded and given to the petitioner under this head is liable to be to be deducted.

In the result, **OP(E)Nos.60/2021 & 61/2021 is disposed of as follows:**

2) Directing the respondents concerned to pay a sum of **₹26,86,641/-, (Rupees Twenty Six Lakhs Eighty Six Thousand Six Hundred & Forty One only),** together with interest at the rate of 7% per annum, from the date of petition till its realisation, with proportionate costs of the petitioner. The amount already awarded and paid by the respondents shall be deducted from the above said. The interest is ordered to be calculated for the excess amount awarded as per this order.

42.(i).OP(E)No.62/2021 : The petitioner is the owner in possession and enjoyment of the property comprised in resurvey No. 288/2-1 of Kooroppada Village over which an electric line was drawn by the respondents. The DVS produced by the respondents would go to show that the affected area in OP(E) 62/2021 is only to an extent of

5.17 ares.No contra evidence is available on record to show otherwise.Therefore, I am of the view that the affected area as measured out by the respondents will have to be accepted.Hence as per the fair value fixed by the government as per Ext.B153, the petitioner is entitled to get an amount of **Rs.3,10,200/-** (30000 x4x5.17 x 50%) as compensation for the diminution in value of the land and its restrictive use. I order accordingly. The compensation already awarded and given to the petitioner under this head is liable to be deducted.

(ii). As regards the compensation for the trees which are cut and removed from the property of the petitioner is concerned, it is to be noted that as per Ext.B150 mahazar, it seems that Rubber - 44, Mahagani - 15, Anjili -3, Jack fruit -1,Arecanut -1, Jungle tree -1, Vatta - 1, Konna -1, Pepper -16, Coconut sappling -1, Mahagani sappling -5 were cut and removed from the property of the petitioner which is also reflected from Ext.B151 DVS also.

(iii).As regards the determination of compensation for yielding rubber trees is concerned, it is to be noted that a rubber tree would normally begin yielding from its 7th year. An average, conventional rubber tree would give yield around 8 to 10 kg of latex for a minimum period of 20 years. Hence, the average yield from the trees can be fixed as 9 litres of latex a year. In the absence of any independent proof the highest net return value, specified in Ext.B151 DVS ie.,Rs.126/- can be taken as the prevailing market price. One-third of the income generated from the rubber trees can be deducted towards the expenses incurred. Since the trees cut and removed were only **14** years of age, a multiplier 6 can be fixed for calculating the compensation, and therefore the petitioner is entitled to get **Rs.1,99,584/-** (44x 126 x 9 x 6 x 2/3) as compensation for the loss of yielding of rubber trees, cut and removed. It is also to be noted that the timber which were cut and removed were entrusted to the petitioner, who might have sold those valuable trees and got some amount by way of its sale.Having considered my bestowed consideration to the above all aspects especially taking note of the age of the trees cut and removed. I am of the view that the excess amount mentioned in the table referred below can be awarded for each trees. I order accordingly.

(iv) Table

Sl. No.	Description of trees	No. of trees	Age (years)	Compensation paid	Compensation Awarded	Excess amount awarded for each tree
1	Mahagani	2	30	4800	10000	2x5000
2	Mahagani	8	10	6400	16000	8x2000
3	Mahagani	4	5	1600	1600	Nil
4	Pepper	20	8	58442.57	58442.57	Nil
5	Pepper (N.Y)	22	2	1760	1760	Nil
6	Coffee	8	8	8453.39	8453.39	Nil
7	Panjimaram	1	20	700	700	Nil
8	Jungle tree	3	10	1050	1050	Nil
9	Jungle tree	1	15	525	525	Nil
10	Jack fruit (V)	1	30	30000	30000	Nil
11	Jack fruit (N.Y)	2	6	720	720	Nil
12	Anjili	2	30	4800	10000	2x5000
13	Anjili	2	15	2400	4000	2x2000
14	Vatta	3	10	1050	1050	Nil
15	Pappaya	10	9	15000	15000	Nil
16	Veppu	1	8	280	280	Nil
17	Mango (N)	1	18	7935	7935	Nil
18	Mango (N.Y)	1	5	300	300	Nil
19	Champa	1	8	2000	2000	Nil
20	Peramaram	1	8	1050	1050	Nil
21	Rubber	2	8	6716.47	199584	44x 126 x 9 x 6 x 2/3
22	Perumaram	1	15	525	525	Nil
	Total			156507.43	370974.96	

(v). Thus,the petitioner is entitled to get a total compensation of **₹3,70,975/-** for the value of trees and expected yields. The compensation already awarded and given to the petitioner under this head is liable to be to be deducted.

In the result, **OP(E)No.62/2021 is disposed of as follows:**

2) Directing the respondents concerned to pay a sum of **₹6,81,175/- (Rupees Six Lakhs Eighty One Thousand One Hundred and Seventy Five only),** together with interest at the rate of 7% per annum, from the date of petition till its realisation, with proportionate costs of the petitioner. The amount already awarded and paid by the respondents shall be deducted from the above said amount. The interest is ordered to be calculated for the excess amount awarded as per this order.

43. (i). OP(E) No.98/2021 : The petitioner is the owner in possession and enjoyment of the property comprised in resurvey No. 852/3-2,852/2-2,852/2-1 of Njeezhur Village over which an electric line was drawn by the respondents.

The DVS produced by the respondents would go to show that the affected area in OP(E) 98/2021 is an extent of **17.63** (4.47+1.03+12.13) ares. No contra evidence is available on record to show otherwise. Therefore, I am of the view that the affected area as measured out by the respondents will have to be accepted. Hence as per the fair value fixed by the government as per Ext.B158, the petitioner is entitled to get an amount of **Rs.11,19,945.75** (31762.5 x4x17.63 x 50%) as compensation for the diminution in value of the land and its restrictive use. I order accordingly. The compensation already awarded and given to the petitioner under this head is liable to be deducted.

(ii). As regards the compensation for the trees which are cut and removed from the property of the petitioner is concerned, it is to be noted that as per Ext.B155 & B155(a) mahazar, it seems that Rubber - 115, Perumaram -5, Jungle tree-5, Vatta -8, Anjili -8, Anjili sappling -20, Mahagani sappling - 25, Coconut -5 ; Rubber - 1, Vaazha (small) 7, Chena -4, Chempu - 5, Kachil -1, were cut and removed from the property of the petitioner which is also reflected from Ext.B156 &156(a) DVS also.

(iii). As regards the determination of compensation for yielding rubber trees is concerned, it is to be noted that a rubber tree would normally begin yielding from its 7th year. An average, conventional rubber tree would give yield around 8 to 10 kg of latex for a minimum period of 20 years. Hence, the average yield from the trees can be fixed as 9 litres of latex a year. In the absence of any independent proof the highest net return value, specified in Ext.B156 &156(a) DVS ie., Rs.120/- can be taken as the prevailing market price. One-third of the income generated from the rubber trees can be deducted towards the expenses incurred. Since the trees cut and removed were only **8** years of age, a multiplier **12** can be fixed for calculating the compensation, and therefore the petitioner is entitled to get **Rs.10,52,352/-** (116 x 126 x 9 x 12 x 2/3) as compensation for the loss of yielding of rubber trees, cut and removed. It is also to be noted that the timber which were cut and removed were entrusted to the petitioner, who might have sold those valuable trees and got some amount by way of its sale.Having considered my bestowed consideration to the above all aspects especially taking note of the age of the trees cut and removed. I am of the view that the excess amount mentioned in the table referred below can be awarded for each trees. I order accordingly.

(iv) <u>Table</u>

Ext.156(a)

Sl. No.	Description of trees	No. of trees	Age (years)	Compensation paid	Compensation Awarded	Excess amount awarded for each tree
1	Rubber	116	8	388152	1052352	116 × 126 × 9 × 12 × 2/3
2	Perumaram	5	20	3500	3500	Nil
3	Jungle tree	5	10	1750	1750	Nil
4	Vatta	4	15	2100	2100	Nil
5	Vatta	4	20	2800	2800	Nil
6	Anjili	5	20	8000	25000	5x5000
7	Anjili	3	10	56000	6000	3x2000
8	Anjili sappling	20	4	6400	6400	Nil
9	Mahagany sappling	25	3	6000	6000	Nil
10	Coconut	5	20	61607.7	61607.7	Nil
11	Vaazha (Nendra)	7	8	3150	3150	Nil
12	Chena	4	4	640	640	Nil
13	Chempu	5	4	420	420	Nil

14	Kachil	1	5	210	210	Nil
	Total			544352.45	1082837.7	

(v).Thus,the petitioner is entitled to get a total compensation of **₹22,02,784/-** for the value of trees and expected yields. The compensation already awarded and given to the petitioner under this head is liable to be to be deducted.

In the result, **<u>OP(E)No.98/2021 is disposed of as follows:</u>**

2) Directing the respondents concerned to pay a sum of **₹22,02,784/-, (Rupees Twenty Two Lakhs Two Thousand Seven Hundred & Eighty Four only),** together with interest at the rate of 7% per annum, from the date of petition till its realisation, with proportionate costs of the petitioner. The amount already awarded and paid by the respondents shall be deducted from the above said amount. The interest is ordered to be calculated for the excess amount awarded as per this order.

<u>44. (i). OP(E) No.101/2021:</u>The petitioner is the owner in possession and enjoyment of the property comprised in

resurvey No. 406/8-1 of Kadaplamattom Village over which an electric line was drawn by the respondents. The DVS produced by the respondents would go to show that the affected area in OP(E) 101/2021 is an extent of **18.95** ares. No contra evidence is available on record to show otherwise. Therefore, I am of the view that the affected area as measured out by the respondents will have to be accepted. Hence as per the fair value fixed by the government as per Ext.B163, the petitioner is entitled to get an amount of **Rs.6,53,490.75** (17242.50 x4x18.95 x 50%) as compensation for the diminution in value of the land and its restrictive use. I order accordingly.The compensation already awarded and given to the petitioner under this head is liable to be deducted.

(ii). As regards the determination of compensation for the trees which are cut and removed from the property of the petitioner is concerned, it is to be noted that as per Ext.B160 &160(a) mahazar, it seems that Arecanut -398, Mahagani -48, Teak -18, Coconut -65, Jathi -12, Anjili -11, Jack fruit -11, Vatta -11, Mango (N) -3, Perumaram -2, Coffee -12, Pappaya sappling -1, Pepper -25, coconut sappling -72, Arecanut sappling -50, Jathi sappling -8, Mahagany sappling -3, Mango sappling -1; Vaazha (small) - 65 were cut and removed from the property of the petitioner which is also reflected from Ext.B161& B161(a) DVS. It is to be noted that the timbers which were cut and removed were entrusted to the petitioner, who might have sold those valuable trees and got some amount by its sale. Having considered my bestowed consideration to the above all aspects especially taking note of the age of the trees which are cut and removed from the property of the petitioner, I am of the view that the excess amount stated in the column mentioned below can be awarded for each trees. I order accordingly.

(iii) Table

Sl. No.	Description of trees	No. of trees	Age (years)	Compensation paid	Compensation Awarded	Excess amount awarded for each tree
1	Arecanut	398	15	1431725.63	1431725.63	
2	Mahagany	12	10	9600	24000	12x2000
3	Mahagani	14	12	13440	28000	14x2000
4	Mahagani	8	15	9600	16000	8x2000
5	Mahagani	14	18	20160	28000	14x2000
6	Teak	10	10	8000	30000	10x3000

7	Teak	8	15	9600	24000	8x3000
8	Coconut	65	12	751553.44	751553.44	Nil
9	Jathi	12	12	247500	247500	Nil
10	Anjili	6	15	7200	12000	6x2000
11	Anjili	5	20	8000	10000	5x2000
12	Jack fruit	1	20	10000	10000	Nil
13	Vatta	11	20	7700	7700	Nil
14	Mango	3	10	8500	8500	Nil
15	Perumaram	2	15	1050	1050	Nil
16	Coffee	12	12	9955.15	9955.15	Nil
17	Pappaya	1	1	3750	3750	Nil
18	Pepper	25	8	40351.2	40351.2	Nil
19	Coconut sappling	22	5	167855.63	167855.63	Nil
20	Coconut sappling	50	3	10000	10000	Nil
21	Arecanut sappling	50	3	25000	25000	Nil
22	Jathi sappling	8	2	2640	2640	Nil
23	Mahagani sappling	3	2	480	480	Nil
24	Mango sappling	1	3	180	180	Nil
	Total			2803841	2890241.05	

Sl. No.	Description of trees	No. of trees	Age (years)	Compensation paid	Compensation Awarded	Excess amount awarded for each tree
1	Vaazha (Nendra)	65	9	45700	45700	Nil
	Total			45700	45700	

(v). Thus,the petitioner is entitled to get a total compensation of **₹29,35,941/-** for the value of trees and expected yields. The compensation already awarded and given to the petitioner under this head is liable to be to be deducted.

In the result, **OP(E)No.101/2021 is disposed of as follows:**

2) Directing the respondents concerned to pay a sum of **₹35,89,432/-, (Rupees Thirty Five Lakhs Eighty Nine Thousand Four Hundred and Thirty Two only),** together with interest at the rate of 7% per annum, from the date of petition till its realisation, with proportionate costs of the petitioner. The amount already awarded and paid by the respondents shall be deducted from the above said amount. The interest is ordered to be calculated for the excess amount awarded as per this order.

45.(i). **OP(E) No.143/2021 :** The petitioner is the owner in possession and enjoyment of the property comprised in resurvey No. 234/6-6-1 of Kooroppada Village over which an electric line was drawn by the respondents.

The DVS produced by the respondents would go to show that the affected area in OP(E) 143/2021 is only to an extent of **0.74** ares. No contra evidence is available on record to show otherwise. Therefore, I am of the view that the affected area as measured out by the respondents will have to be accepted. Hence as per the fair value fixed by the government as per Ext.B168, the petitioner is entitled to get an amount of **Rs.44,400/-** (30000 x4x0.74 x 50%) as compensation for the diminution in value of the land and its restrictive use.I order accordingly.The compensation already awarded and given to the petitioner under this head is liable to be deducted.

(ii).As regards the compensation for the trees which are cut and removed from the property of the petitioner is concerned, it is to be noted that as per Ext.B165 mahazar, it seems that Rubber - 30, Anjili -6, Pera -1, Pathi-mukham -1, Teak -2, Pepper -1, Anjili -3 were cut and removed from the property of the petitioner which is also reflected from Ext.B114 DVS also.

(iii). As regards the determination of compensation for yielding rubber trees is concerned, it is to be noted that a rubber tree would normally begin yielding from its 7th year. An average conventional rubber tree would give yield around 8 to 10 kg of latex for a minimum period of 20 years. Hence, the average yield from the trees can be fixed as 9 litres of latex a year.In the absence of any independent proof the highest net return value, specified in Ext.B166 DVS ie., Rs.117/- can be taken as the prevailing market price. One-third of the income generated from the rubber trees can be deducted towards the expenses incurred. Since the trees cut and removed were only **12** years of age, a multiplier **8** can be fixed for calculating the compensation, and therefore the petitioner is entitled to get **Rs.5,05,440/-** (30 x 117 x 9 x 8 x 2/3) as compensation for the loss of yielding of rubber trees, cut and removed. It is also to be noted that the timber which were cut and removed were entrusted to the petitioner, who might have sold those valuable trees and got some amount by way of its sale.Having considered my bestowed consideration to the above all aspects especially taking note of the age of the trees cut and removed.I am of the view that the excess amount mentioned in the table referred below can be awarded for each trees. I order accordingly.

(iv) Table

Sl. No.	Description of trees	No. of trees	Age (years)	Compensation paid	Compensation Awarded	Excess amount awarded for each tree
1	Rubber	30	12	95465.78	505440	30 x 117 x 9 x 8 x 2/3
2	Anjili	3	30	7200	7200	Nil
3	Anjili	2	10	1600	1600	Nil
4	Anjili	1	28	2240	2240	Nil
5	Pera	1	10	7000	7000	Nil
6	Pathimukham	1	8	1500	1500	Nil
7	Teak	1	30	2400	2400	Nil
8	Teak	1	10	800	800	Nil
9	Pepper	1	14	2085.1	2085.1	Nil
10	Anjili	3	20	4800	4800	Nil
	Total			125091	535065	

(v). Thus, the petitioner is entitled to get a total compensation of **₹5,35,065/-** for the value of trees and expected yields. The compensation already awarded and given to the petitioner under this head is liable to be to be deducted.

In the result, <u>OP(E)No.143/2021 is disposed of as follows:</u>

2) Directing the respondents concerned to pay a sum of **₹5,79,465/-, (Rupees Five Lakhs Sixty One Thousand Seven Hundred & Five only),** together with interest at the rate of 7% per annum, from the date of petition till its realisation, with proportionate costs of the petitioner. The amount already awarded and paid by the respondents shall be deducted from the above said amount. The interest is ordered to be calculated for the excess amount awarded as per this order.

46.(i). <u>OP(E) No.151/2021 :</u> The petitioner is the owner in possession and enjoyment of the property comprised in resurvey No. 293/9-2 of Kooroppada Village over which an electric line was drawn by the respondents. The DVS produced by the respondents would go to show that in OP(E) 151/2021 is **0.95** ares of land was taken to erect a tower in the property, and to which 5 times of the fair value is seen awarded to the petitioner and the said amount is found to be sufficient , but the respondents are not entitled to get it refunded mainly on the ground that this court has fixed the market value only 4 times of the fair value. I order accordingly.

(ii). As regards the compensation for the trees which are cut and removed from the property of the petitioner is concerned, it is to be noted that as per Ext.B170 mahazar, it seems that Rubber -99, Pappaya -1, Pepper -2, Mahagany - 10, Anjili -10 ,Vatta - 2, Vaazha - 80, Arecanut -10, Kappa -20, Chempu -25 were cut and removed from the property of the petitioner which is also reflected from Ext.B171 DVS as also.

(iii). As regards the determination of compensation for yielding rubber trees is concerned, it is to be noted that a rubber tree would normally begin yielding from its 7th year.An average,conventional rubber tree would give yield around 8 to 10 kg of latex for a minimum period of 20 years. Hence, the average yield from the trees can be fixed as 9 litres of latex a year.In the absence of any independent proof the highest net return value, specified in Ext.B171 DVS ie., Rs.120/- can be taken as the prevailing market price. One-third of the income generated from the rubber trees can be deducted towards the expenses incurred.Since the trees cut and removed were only **7** years of age, a multiplier **13** can be fixed for calculating the compensation, and therefore the petitioner is entitled to get Rs.**9,26,640/-** (99 x 120 x 9 x 13 x 2/3) as compensation for the loss of yielding of rubber trees, cut and removed. It is also to be noted that the timber which were cut and removed were entrusted to the petitioner, who might have sold those valuable trees and got some amount by way of its sale.Having considered my bestowed consideration to the above all aspects especially taking note of the age of the trees cut and removed. I am of the view that the excess amount mentioned in the table referred below can be awarded for each trees. I order accordingly.

(iv) Table

Sl. No.	Description of trees	No. of trees	Age (years)	Compensation paid	Compensation Awarded	Excess amount awarded for each tree
1	Rubber	99	7	304987.2	926640	99 x 120 x 9 x 13 x 2/3
2	Pappaya	1	1	3000	3000	Nil
3	Pepper	2	6	8266.2	8266.2	Nil
4	Mahagani	4	15	4800	8000	4x2000

5	Mahagani	5	20	8000	10000	5x2000
6	Mahagani	1	25	2000	2000	1x2000
7	Anjili	2	35	5600	10000	2x5000
8	Anjili	2	18	2880	4000	2x2000
9	Anjili	5	15	6000	10000	5x2000
10	Anjili	1	30	2400	5000	1x5000
11	Vatta	2	12	840	840	Nil
12	Vazha – Nadan	80	9	14750	14750	Nil
13	Arecanut	10	10	29293.65	29293.65	Nil
14	Maracheeni	20	6	2250	2250	Nil
15	Chempu	25	6	1137.5	1137.5	Nil
	Total			396204.55	1035177.35	

(v). Thus, the petitioner is entitled to get a total compensation of **₹10,35,177/-** for the value of trees and expected yields. The compensation already awarded and given to the petitioner under this head is liable to be to be deducted.

In the result, **OP(E)No.151/2021 is disposed as above.**

2.Directing the respondents concerned to pay a sum of **₹10,35,177/-, (Rupees Ten Lakhs Thirty Five Thousand One Hundred & Seventy Seven only),** together with interest at the rate of 7% per annum, from the date of petition till its realisation, with proportionate costs of the petitioner. The amount already awarded and paid by the respondents shall be deducted from the above said amount and interest is to be calculated for the excess amount awarded as per this order.

47.(i).<u>**OP(E)No.30/2022:**</u>The petitioner is the owner in possession and enjoyment of the property comprised in resurvey No. 388/16 of Kadaplamattom Village over which an electric line was drawn by the respondents. The DVS produced by the respondents would go to show that in OP(E) 30/2022 is **0.12.** No contra evidence is available on record to show otherwise. It is to be noted that an extent of 0.12 ares of land was taken to erect a tower in his property and to which 5 times of the fair value is seen awarded to the petitioner and the said amount is found to be sufficient, but the respondents are not entitled to get any excess amount refunded mainly on the ground that this court has fixed the market value only 4 times of the fair value. I order accordingly.

(ii). As regards the compensation for the trees which are cut and removed from the property of the petitioner is concerned, it is to be noted that as per Ext.B175, B175(a), B175(b),B175(c) mahazars, it seems that Maracheni -350; Jathi -3, Mahagani -1, Coconut -3;Coconut -10, Jathi -12, Mahagani -7, Mango -1, Vazha poovan -20;Rubber -16,Coconut -11, Jack fruit -3, Jathi -13, Cocco -3, Mahagani -5,Mahagani sappling -21, Jack fruit sappling -2,Cocco sappling -1, Jathi -2, Teak sappling-1 were cut and removed from the property of the petitioner which is also reflected from Ext.B175,175(a),176(b),175(c) DVS. also.

(iii). As regards the determination of compensation for yielding rubber trees is concerned, it is to be noted that a rubber tree would normally begin yielding from its 7th year. An average, conventional rubber tree would give yield around 8 to 10 kg of latex for a minimum period of 20 years. Hence, the average yield from the trees can be fixed as 9 litres of latex a year. In the absence of any independent proof the highest net return value, specified in Ext.B176 DVS ie., Rs.133.5/- can be fixed for calculating the compensation, and therefore the petitioner is entitled to get 8 years of age, a multiplier 12 can be fixed for calculating the compensation, and therefore the petitioner is entitled to get Rs.1,45,152/- (16 x 126 x 9 x 12 x 2/3) as compensation for the loss of yielding of rubber trees, cut and removed. It is also to be noted that the timber which were cut and removed were entrusted to the petitioner, who might have sold those valuable trees and got some amount by way of its sale. Having considered my bestowed consideration to the above all aspects especially taking note of the age of the trees cut and removed. I am of the view that the excess amount mentioned in the table referred below can be awarded for each trees. I order accordingly.

(iv) Table

Ext.B176(c)

Sl. No.	Description of trees	No. of trees	Age (years)	Compensation paid	Compensation Awarded	Excess amount awarded for each tree
1	Maracheeni	350	6	15150	15150	Nil
	Total			15150	15150	

Ext.B176(b)

Sl. No.	Description of trees	No. of trees	Age (years)	Compensation paid	Compensation Awarded	Excess amount awarded for each tree

1	Jathi	3	7	48000	48000	Nil
2	Mahagani	1	10	800	800	Nil
3	Coconut	3	10	35694	35694	Nil
	Total			84494	84494	

Ext.B176(a)

Sl. No.	Description of trees	No. of trees	Age (years)	Compensation paid	Compensation Awarded	Excess amount awarded for each tree
1	Coconut	10	10	50194.69	50194.69	Nil
2	Jathi	12	8	144000	144000	Nil
3	Mahagani	7	8	4480	4480	Nil
4	Mango	1	5	300	300	Nil
5	Vaazha poovan	20	10	6300	6300	Nil
6	Coconut	8	10	66926.25	66926.25	Nil
	Total			272200.94	272200.94	

Ext.B176 1,45,152/- (16 x 126 x 9 x 12 x 2/3)

Sl. No.	Description of trees	No. of trees	Age (years)	Compensation paid	Compensation Awarded	Excess amount awarded for each tree
1	Rubber	16	8	57575.88	145152	16 × 126 × 9 × 12 × 2/3
2	Coconut	11	10	133852.5	133852.5	Nil
3	Jack fruit	3	15	75000	75000	Nil
4	Jathi	13	7	240000	240000	Nil
5	Cocco	3	6	7500	7500	Nil
6	Mahagani	5	12	4800	10000	5x2000
7	Mahagani	21	3	5040	5040	Nil

8	Jack fruit	2	3	360	360	Nil
9	Cocco	1	2	120	120	Nil
10	Jathi	2	7	840	840	Nil
11	Teak sappling	1	3	240	240	Nil
	Total			525328.38	618105	

(V). Thus, I find the petitioner is entitled to get a total compensation of **₹9,89,949/-** for the value of trees and expected yileds. The compensation already awarded and given to the petitioner under this head is liable to be to be deducted.

In the result, **OP(E)No.30/2022 is disposed of as follows:**

2) Directing the respondents concerned to pay a sum of **₹9,89,949/-, (Rupees Nine Lakhs Eighty Nine Thousand Nine Hundred & Forty Nine only),** together with interest at the rate of 7% per annum, from the date of petition till its realisation, with proportionate costs of the petitioner. The amount already awarded and paid by the respondents shall be deducted from the above said amount. The interest is ordered to be calculated for the excess amount awarded as per this order.

48(i). <u>OP(E) No.34/2022 :</u> The petitioner is the owner in possession and enjoyment of the property comprised in resurvey No. 90/3-3, 92/9-1, 90/3-2, of Ayarkunnam Village over which an electric line was drawn by the respondents. The DVS produced by the respondents would go to show that the affected area in OP(E) 34/2022 is only to an extent of **16.56** ares (8.28+2.91+5.37) . No contra evidence is available on record to show otherwise. Therefore, I am of the view that the affected area as measured out by the respondents will have to be accepted. Hence as per the fair value fixed by the government as per Ext.B185 & B187, the petitioner is entitled to get an amount of **Rs.33,12,000/-** (100000 x4x 16.56 x 50%) as compensation for the diminution in value of the land and its restrictive use. The compensation already awarded and given to the petitioner under this head is liable to be deducted. It is to be noted **2.34** ares of land was taken to erect a tower in his property and to which 5 times of the fair value is seen awarded to the petitioner and the said amount is found to be sufficient, but the respondents are not entitled to get any excess amount refunded mainly on the ground that this court has fixed the market value only 4 times of the fair value. I order accordingly.

(ii).As regards the compensation for the trees which are cut and removed from the property of the petitioner is concerned, it is to be noted that as per Ext.B180, B180(a),B180(b) mahazar, it seems that Rubber -64, Vatta – 35, Anjili 29, Manjiyam -9, Manjadi -1, Pepper -89;Rubber -25,Anjili - 5, Vatta - 17,Manjiyam -1, Coconut -1, Pepper -48, Anjili sappling -20; Rubber-40, Anjili – 17, vatta-4, Jungle tree- 3, Mangiyam – 2, Coconut – 1, Teak - 1, Pepper -15, Anjili Sapling -15, Mahagani Sapling – 5, Coffee (Sapling)-20 were cut and removed from the property of the petitioner which is also reflected from Ext.B114 DVS also.

(iii).As regards the determination of compensation for yielding rubber trees is concerned, it is to be noted that a rubber tree would normally begin yielding from its 7th year. An average, conventional rubber tree would give yield around 8 to 10 kg of latex for a minimum period of 20 years. Hence, the average yield from the trees can be fixed as 9 litres of latex a year. In the absence of any independent proof the highest net return value, specified in Ext.B180, B180(a),B180(b) DVS ie., Rs.126/- can be taken as the prevailing market price. One-third of the income generated from the rubber trees can be deducted towards the expenses incurred. Since the trees cut and removed were **14 & 8** years of age, an average multiplier **9** can be taken as the prevailing market price. One-third of the income generated from the rubber trees can be deducted towards the expenses incurred. Since the trees cut and removed were Rs.**8,77,716/-** (129 x 126 x 9 x 9 x 2/3) as compensation for the loss of yielding of rubber trees, cut and removed. It is also to be noted that the timber which were cut and removed were entrusted to the petitioner, who might have sold those valuable trees and got some amount by way of its sale. Having considered my bestowed consideration to the above all aspects especially taking note of the age of the trees cut and removed. I am of the view that the excess amount mentioned in the table referred below can be awarded for each trees. I order accordingly.

(iv) Table

Sl. No.	Description of trees	No. of trees	Age (years)	Compensation paid	Compensation Awarded	Excess amount awarded for each tree
1	Rubber	129	14,8 av.9	406674.36	975240	129 x 126 x 9 x 9 x 2/3
2	Vatta	10	15	5250	5250	Nil
3	Vatta	25	10	8750	8750	Nil
4	Anjili	12	10	9600	9600	Nil
5	Anjili	17	8	10880	10880	Nil
6	Manjiyam	9	15	10800	10800	Nil
7	Manchadi	1	10	350	350	Nil
8	Pepper	89	10	46827	46827	Nil
9	Anjili	2	15	2400	4000	2x2000
10	Anjili	3	10	2400	6000	3x2000
11	Vatta	1	15	525	525	Nil
12	Vatta	16	10	5600	5600	Nil
13	Manjiyam	1	15	1200	1200	Nil
14	Coconut	1	15	4993.14	4993.14	Nil
15	Pepper	48	10	37461.6	37461.6	Nil
16	Anjili sappling	20	3	4800	4800	Nil
17	Anjili	1	35	2800	5000	1x5000
18	Anjili	1	30	2400	5000	1x5000
19	Anjili	2	18	2880	4000	2x2000
20	Anjili	13	15	15600	26006	13x2000
21	Vatta	4	15	2100	2100	Nil
22	Jungle tree	1	30	15600	15600	Nil
23	Jungle	2	20	2100	2100	Nil

	tree					
24	Mangiyam	2	10	1050	1050	Nil
25	Coconut	1	15	13315.84	13315.84	Nil
26	Teak	1	10	800	3000	1x3000
27	Pepper	15	8	24210.72	24210.72	Nil
28	Anjili	15	4	4800	4800	Nil
29	Mahagani	5	3	1200	1200	Nil
30	Coffee Sappling	20	3	2400	2400	Nil
	Total			634167	1242059	

(v) Thus, the petitioner is entitled to get a total compensation of **₹12,42,059/-** for the value of trees and expected yields. The compensation already awarded and given to the petitioner under this head is liable to be to be deducted.

In the result, <u>OP(E)No.34/2021 is disposed of as follows:</u>

2) Directing the respondents concerned to pay a sum of **₹45,54,059/-, (Rupees Forty Five Lakhs Fifty Four Thousand & Fifty Nine only),** together with interest at the rate of 7% per annum, from the date of petition till its realisation, with proportionate costs of the petitioner. The amount already awarded and paid by the respondents shall be deducted from the above said amount. The interest is ordered to be calculated for the excess amount awarded as per this order.

49.(i). **<u>OP(E) No.47/2022 :</u>** The petitioner is the owner in possession and enjoyment of the property comprised in resurvey No. 310/1-2, 310/2-3 &310/2-2, 310/1-1 of Ayarkunnam Village over which an electric line was drawn by the respondents. The DVS produced by the respondents would go to show that the affected area in OP(E) 47/2022 is only to an extent of **14.49** ares. No contra evidence is avialable on record to show otherwise. Therefore, I am of the view that the affected area as measured out by the respondents will have to be accepted. Hence as per the fair value fixed by the government as per Ext.B194 &B196, the petitioner is entitled to get an amount of **Rs.23,18,400/-** (80000 x4x14.49 x 50%). The compensation already awarded and given to the petitioner under this head is liable to be deducted. It is to be noted that an extent of 3.22 ares of land was taken to erect a tower in his property and to which 5 times of the fair value is seen awarded to the petitioner and the said amount is found to be sufficient, but the respondents are not entitled to get any excess amount refunded mainly on the ground that this court has fixed the market value only 4 times of the fair value. I order accordingly.

(ii).As regards the compensation for the trees which are cut and removed from the property of the petitioner is concerned, it is to be noted that as per Ext.B189, B189(a), B189(b) mahazars, it seems that Rubber -61, Anjili - 50,Teak -4, Vatta -2, Pepper -25; Anjili - 3,Jungle tree - 1, Vatta -1, Pepper -5; Teak -2, Anjili - 21, Eanth -1, Vatta -2, Pepper -12, Coffee -7 were cut and removed from the petitioner's property and the said fact can be gathered from Ext.Ext.B190, B190(a), B190(b) DVS as well.

(iii). As regards yielding of the trees is concerned, a rubber tree would normally begin yielding from its 7th year. An average, conventional rubber tree would yield around 8 to 10 kg of latex a year. It is pertinent to note that, the trees which were cut and removed from the property of the petitioner were 10 years of age. Hence, the average yield from the trees can be fixed as 9 litres of latex a year. In the absence of proof from independent source, the highest net return value specified in

Ext.B190(b) detailed valuation statement ie., Rs.126/- can be taken as the prevailing market price. One-third of the income generated from the rubber trees can be deducted towards the expenses incurred. Since the trees cut and removed were only **10** years of age, a multiplier 10 can be fixed for calculating the compensation. If the compensation is calculated using this criteria, petitioner is entitled to get **Rs.4,61,160/-** (61 x 126 x 9 x 10 x 2/3) as compensation for the rubber trees cut and removed. It is to be noted that the petitioner has received the timbers which are cut and removed were entrusted to the petitioner who might have sold those valuable trees and got some amount, Therefore taking note of this aspects, let me determine the compensation of the trees which are cut and removed the property of the petitioner. Having considered my bestowed consideration to the above all aspects especially taking note of the age of the trees which are cut and removed, I am of the view that the excess amount awarded and mentioned in the table referred to below can be awarded for each trees. I order accordingly.

(iii). As regards other trees such as Vatta, Pepper; Jungle tree, Vatta, Pepper; Eanth, Vatta, Pepper, Coffee are concerned, it is to be noted that only minimum number of trees were cut and removed from the property of the petitioner. Is was considered the compensation already awarded by the respondents as per Ext.B190, B190(a), B190(b), I am of the perception that the amount already awarded by the respondents is sufficient and reasonable. I order accordingly.

(iv) **Table**.

B190(b)

Sl. No.	Description of trees	No. of trees	Age (years)	Compensation paid	Compensation Awarded	Remarks
1	Rubber	61	10	176843.52	461160	61 x 126 x 9 x 10 x 2/3
2	Anjili	18	25	36000	36000	18x2000
3	Anjili	16	30	38400	80000	16x5000
4	Anjili	16	15	19200	32000	16x2000
5	Teak	3	35	8400	18000	3x6000
6	Teak	1	25	2000	6000	1x6000
7	Vatta	2	5	560	560	Nil
8	Pepper	25	8	144738	144738	Nil
	Total			426141.52	778458	Nil

B190(a)

Sl. No.	Description of trees	No. of trees	Age (years)	Compensation paid	Compensation Awarded	Remarks
1	Anjili	2	18	2880	4000	2x2000
2	Anjili	1	25	2000	5000	1x5000
3	Jungle tree	1	10	350	350	Nil
4	Vatta	1	10	350	350	Nil
5	Pepper	5	6	12974.34	12974.34	Nil
	Total			18554.34	22674.34	

B190

Sl. No.	Description of trees	No. of trees	Age (years)	Compensation paid	Compensation Awarded	Remarks
1	Teak	2	30	2100	12000	2x6000
2	Anjili	3	30	7200	15000	3x5000
3	Eanth	1	20	700	700	
4	Anjili	2	18	2880	4000	2x2000
5	Anjili	2	15	2400	4000	2x2000
6	Anjili	13	12	12480	4000	2x2000
7	Vatta	2	10	700	700	Nil
8	Pepper	18	8	80667.07	80667.07	Nil
9	Coffee	7	8	6395.7	6395.7	Nil
	Total			115522.77	127462.77	

(v) Thus, I find the petitioner is entitled to get a total compensation of **₹9,28,595/- (127462.77+ 22674.34+**

778458) for the value of trees and expected yields. The compensation already awarded and given to the petitioner under this head is liable to be to be deducted.

In the result, **<u>OP(E)No.47/2021 is disposed of as follows:</u>**

2) Directing the respondents concerned to pay a sum of **₹32,46,995/-, (Rupees Thirty Two Lakhs Forty Six Thousand Nine Hundred and Ninety Five only),** together with interest at the rate of 7% per annum, from the date of petition till its realisation, with proportionate costs of the petitioner. The amount already awarded and paid by the respondents shall be deducted from the above said amount. The interest is ordered to be calculated for the excess amount awarded as per this order.

50.(i). <u>OP(E) No.78/2022 :</u> The petitioner is the owner in possession and enjoyment of the property comprised in resurvey No. 322/5-2-1 of Ayarkunnam Village over which an electric line was drawn by the respondents. The DVS produced by the respondents would go to show that the affected area in OP(E) 78/2022 is an extent of **2.9**

ares . No contra evidence is avialable on record to show otherwise Therefore, I am of the view that the affected area as measured out by the respondents will have to be accepted. Hence as per the fair value fixed by the government as per Ext.B201, the petitioner is entitled to get an amount of **Rs.8,12,000/-** (140000 x4x2.9 x 50%) as compensation for the diminution in value of the land and its restrictive use. I order accordingly. The compensation already awarded and given to the petitioner under this head is liable to be deducted.

(ii).As regards the compensation for the trees which are cut and removed from the property of the petitioner is concerned, it is to be noted that as per Ext.B198 mahazar, it seems that Rubber -23 were cut and removed from the petitioner's property and the said fact can be gathered from Ext.B199 DVS also.

(iii). As regards the determination of compensation for yielding rubber trees is concerned, it is to be noted that a rubber tree would normally begin yielding from its 7th year. An average, conventional rubber tree would give yield around 8 to 10 kg of latex for a minimum period of 20 years. Hence, the average yield from the trees can be fixed as 9 litres of latex a year.In the absence of any independent proof the highest net return value, specified in Ext.B199 DVS ie., Rs.125.8/- can be taken as the prevailing market price. One-third of the income generated from the rubber trees can be deducted towards the expenses incurred. Since the trees cut and removed were only **8** years of age, a multiplier **12** can be fixed for calculating the compensation, and therefore the petitioner is entitled to get **Rs.2,08,656/-** (23 x 126 x 9 x 12 x 2/3) as compensation for the loss of yielding of rubber trees, cut and removed. It is also to be noted that the timber which were cut and removed were entrusted to the petitioner, who might have sold those valuable trees and got some amount by way of its sale.Having considered my bestowed consideration to the above all aspects especially taking note of the age of the trees cut and removed. I am of the view that the excess amount mentioned in the table referred below can be awarded for each trees. I order accordingly.

(iv) **Table**

Sl. No.	Description of trees	No. of trees	Age (years)	Compensation paid	Compensation Awarded	Remarks
2	Rubber	23	8	90425.04	208656	23 x 126 x 9 x 12 x 2/3
	Total			90425.04	208656	Nil

(v). Thus, the petitioner is entitled to get a total compensation of **₹2,08,656/-** for the value of trees and expected yields. The compensation already awarded and given to the petitioner under this head is liable to be to be deducted.

In the result, **OP(E)No.78/2022 is disposed of as follows:**

2) Directing the respondents concerned to pay a sum of **₹10,20,656/-, (Rupees Ten Lakhs Twenty Thousand Six Hundred & Fifty Six only),** together with interest at the rate of 7% per annum, from the date of petition till its realisation, with proportionate costs of the petitioner. The amount already awarded and paid by the respondents shall be deducted from the above said amount. The interest is ordered to be calculated for the excess amount awarded as per this order.

51.(i). <u>OP(E) No.85/2022 :</u> The petitioner is the owner in possession and enjoyment of the property comprised in resurvey No. 199/12-1-1, 199/13-1 of Kooroppada Village over which an electric line was drawn by the respondents. The DVS produced by the respondents would go to show that the affected area in OP(E) 85/2022 is only to an extent of **6.45** ares. No contra evidence is avialable on record to show otherwise. Therefore, I am of the view that the affected area as measured out by the respondents will have to be accepted. Hence as per the fair value fixed by the government as per Ext.B206, the petitioner is entitled to get an amount of **Rs.15,48,000/-** (120000 x4x6.45 x 50%) as compensation for the diminution in value of the land and its restrictive use. I order accordingly. The compensation already awarded and given to the petitioner under this head is liable to be deducted.

(ii).As regards the compensation for the trees which are cut and removed from the property of the petitioner is concerned, it is to be noted that as per Ext.B203 mahazar, it seems that Coconut -3, Teak -23, Vatta -1, Anjili 6, Mahagani -7, Arecanut -6, Rubber -32, Coconut -7, Jack fruit -2, Jathi -1, Kudampuli -1, Pepper -10, Mahagani sappling - 11, Jathi sappling -2, Pana sappling -4, Kudampuli sappling -1 were cut and removed from the property of the petitioner which is also reflected from Ext.B204 DVS also.

(iii). As regards the determination of compensation for yielding rubber trees is concerned, it is to be noted that a rubber tree would normally begin yielding from its 7th year. An average, conventional rubber tree would give yield around 8 to 10 kg of latex for a minimum period of 20 years. Hence, the average yield from the trees can be fixed as 9 litres of latex a year.In the absence of any independent proof the highest net return value, specified in Ext.B204 DVS ie., Rs.117.8/- can be taken as the prevailing market price. One-third of the income generated from the rubber trees can be deducted towards the expenses incurred. Since the trees cut and removed were only **10** years of age, a multiplier **10** can be fixed for calculating the compensation, and therefore the petitioner is entitled to get Rs.**2,26,560/-** (32 x 118 x 9 x 10 x 2/3) as compensation for the loss of yielding of rubber trees, cut and removed. It is also to be noted that the timber which were cut and removed were entrusted to the petitioner, who might have sold those valuable trees and got some amount by way of its sale.Having considered my bestowed consideration to the above all aspects especially taking note of the age of the trees cut and removed . I am of the view that the excess amount mentioned in the table referred below can be awarded for each trees. I order accordingly.

(iv) <u>Table</u>

Sl. No.	Description of trees	No. of trees	Age (years)	Compensation paid	Compensation Awarded	Excess amount awarded for trees
1	Coconut	3	5	900	900	Nil
2	Teak	13	12	12480	39000	13x3000
3	Teak	1	30	2400	6000	1x6000
4	Teak	1	25	2000	6000	1x6000
5	Teak	8	20	12800	48000	8x6000
6	Vatta	1	12	420	420	Nil
7	Anjili	5	10	4000	10000	5x2000
8	Anjili	1	15	1200	2000	1x2000
9	Mahagani	7	12	6720	14000	7x2000
10	Arecanut	6	12	28931.3	28931.3	Nil

11	Rubber	32	10	103334.16	226560	32 x 118 x 9 x 10 x 2/3
12	Coconut	7	12	145300.33	145300.33	Nil
13	Jack fruit	1	20	1200	1200	Nil
14	Jack fruit	1	30	25000	25000	Nil
15	Jathi	1	6	7925	7925	Nil
16	Kudampuli	1	12	21000	21000	Nil
17	Pepper	10	8	12324.66	12324.66	Nil
18	Mahagani sappling	11	2	1760	1760	Nil
19	Jathi sappling	2	3	360	360	Nil
20	Pana sappling	4	2	280	280	Nil
21	Kudampuli	1	3	630	630	Nil
	Total			390965.45	597591.29	

(v). Thus, the petitioner is entitled to get a total compensation of **₹5,97,591/-** for the value of trees and expected yields. The compensation already awarded and given to the petitioner under this head is liable to be to be deducted.

In the result, **OP(E)No.85/2022 is disposed as above.**

2. Directing the respondents concerned to pay a sum of **₹21,45,591/-, (Rupees Twenty One Lakhs Forty Five Thousand Five Hundred & Ninety One**

only), together with interest at the rate of 7% per annum, from the date of petition till its realisation, with proportionate costs of the petitioner. The amount already awarded and paid by the respondents shall be deducted from the above said amount. The interest is ordered to be calculated for the excess amount awarded as per this order.

52.(i). **OP(E) No.86/2022 :** The petitioner is the owner in possession and enjoyment of the property comprised in resurvey No. 199/15-1 of Ayarkunnam Village over which an electric line was drawn by the respondents. The DVS produced by the respondents would go to show that the affected area in OP(E) 86/2022 is only to an extent of **6.82** ares. No contra evidence is avialable on record to show otherwise. Therefore, I am of the view that the affected area as measured out by the respondents will have to be accepted. Hence as per the fair value fixed by the government as per Ext.B211, the petitioner is entitled to get an amount of **Rs.16,36,800/-** (120000 x4x6.82 x 50%) as compensation for the diminution in value of the land and its restrictive use. I order accordingly.The compensation already awarded and given to the petitioner under this head is liable to be deducted.

(ii).As regards the determination of compensation for the trees which are cut and removed from the property of the petitioner is concerned, it is to be noted that as per Ext.B208 mahazar, it seems that Coconut -17, Coconut sappling -8, Pappaya -4, Mahagani -1, Jack fruit -2, Vatta -2, Teak -1,Anjili -2, Chunda Pana 1, Narakam -1, Pepper -5, Teak sappling -2, Vatta sappling -1, Pappaya sappling - 3, Cocco sappling-1, Jungle tree sappling -1, Jack fruit sappling -2 were cut and removed from the property of the petitioner which is also reflected from Ext.B209 DVS. It is to be noted that the timbers which were cut and removed were entrusted to the petitioner, who might have sold those valuable trees and got some amount by its sale. Having considered my bestowed consideration to the above all aspects especially taking note of the age of the trees which are cut and removed from the property of the petitioner,I am of the view that the excess amount stated in the column mentioned below can be awarded for each trees. I order accordingly.

(iii) <u>Table</u>

Sl. No.	Description of trees	No. of trees	Age (years)	Compensation paid	Compensation Awarded	Excess amount awarded for each tree.
1	Coconut	17	10	412433.07	412433.07	
2	Coconut sappling	8	4	2000	2000	Nil
3	Pappaya	4	1	12000	12000	Nil
4	Mahagani	1	15	1200	2000	1x2000
5	Jack fruit	1	10	600	600	Nil
6	Jack fruit	1	18	15000	15000	Nil
7	Vatta	2	20	1400	1400	Nil
8	Teak	1	30	2400	6000	1x6000
9	Anjili	2	40	6400	10000	2x5000
10	Chunda Pana	1	15	10800	10800	Nil
11	Narakam	1	12	600	600	Nil
12	Pepper	5	6	6311.96	6311.96	Nil
13	Teak sappling	2	2	320	320	Nil
14	Vatta sappling	1	3	105	105	Nil
15	Pappaya sappling	3	1	30	30	Nil
16	Cocco sappling	1	1	60	60	Nil
17	Jungletree sapling	1	1	35	35	Nil

18	Jack fruit sappling	2	3	360	360	Nil
	Total			472055.03	480055.03	

(v). Thus, the petitioner is entitled to get a total compensation of **₹4,80,055/-** for the value of trees and expected yields. The compensation already awarded and given to the petitioner under this head is liable to be to be deducted.

In the result, **OP(E)No.86/2022 is disposed of as follows:**

2 Directing the respondents concerned to pay a sum of **₹21,16,855/-, (Rupees Twenty One Lakhs Sixteen Thousand Eight Hundred & Fifty Five only),** together with interest at the rate of 7% per annum, from the date of petition till its realisation, with proportionate costs of the petitioner. The amount already awarded and paid by the respondents shall be deducted from the above said amount. The interest is ordered to be calculated for the excess amount awarded as per this order.

53.(i). <u>OP(E) No.89/2022 :</u> The petitioner is the owner in possession and enjoyment of the property comprised in resurvey No. 301/3-1 of Akalakunnam Village over which an electric line was drawn by the respondents. The DVS produced by the respondents would go to show that the affected area in OP(E) 89/2022 is only to an extent of **10.82** ares. No contra evidence is avialable on record to show otherwise. Therefore, I am of the view that the affected area as measured out by the respondents will have to be accepted. Hence as per the fair value fixed by the government as per Ext.B216, the petitioner is entitled to get an amount of **Rs.6,49,200/-**(30000 x4x10.82 x 50%) as compensation for the diminution in value of the land and its restrictive use. I order accordingly. The compensation already awarded and given to the petitioner under this head is liable to be deducted.

(ii). As regards the compensation for the trees which are cut and removed from the property of the petitioner is concerned, it is to be noted that as per Ext.B213 mahazar, it seems that Rubber -91, Anjili -51, Vatta - 47, Teak -7, Jack-2, Coffee-2, mahagony -9, Pepper -160, Vatta Sapling - 2, Anjili Sapling-3, Coffee Sapling - 28, Jathi Sapling - 40, Pana Sapling -3 were cut and removed from the property of the petitioner which is also reflected from Ext.B214 DVS also.

(iii). As regards the determination of compensation for yielding rubber trees is concerned, it is to be noted that a rubber tree would normally begin yielding from its 7th year. An average, conventional rubber tree would give yield around 8 to 10 kg of latex for a minimum period of 20 years. Hence, the average yield from the trees can be fixed as 9 litres of latex a year. In the absence of any independent proof the highest net return value, specified in Ext.B214 DVS ie., Rs.129/- can be taken as the prevailing market price. One-third of the income generated from the rubber trees can be deducted towards the expenses incurred. Since the trees cut and removed were only **14** years of age, a multiplier **6** can be fixed for calculating the compensation, and therefore the petitioner is entitled to get Rs.**4,22,604/**- (91 x 129 x 9 x 6 x 2/3) as compensation for the loss of yielding of rubber trees, cut and removed. It is also to be noted that the timber which were cut and removed were entrusted to the petitioner, who might have sold those valuable trees and got some amount by way of its sale.Having considered my bestowed consideration to the above all aspects especially taking note of the age of the trees cut and removed. I am of the view that the excess amount mentioned in the table referred below can be awarded for each trees. I order accordingly.

(iv) Table

Sl. No.	Description of trees	No. of trees	Age (years)	Compensation paid	Compensation Awarded	Excess amount awarded for each tree
1	Rubber	91	14	307717.92	422604	91 x 129 x 9 x 6 x 2/3
2	Anjili	1	35	2800	2800	1x5000
3	Anjili	2	30	4800	4800	2x5000
4	Anjili	8	28	17920	17920	8x5000
5	Anjili	18	20	28800	28800	18x5000
6	Anjili	22	7	12320	12320	Nil
7	Vatta	4	28	3920	3920	Nil
8	Vatta	18	20	12600	12600	Nil
9	Vatta	20	10	7000	7000	Nil
10	Jack Fruit (v)	1	12	17500	17500	Nil
11	Jack Fruit (NV)	1	7	420	420	Nil

12	Coffee	22	10	31623.24	31623.24	Nil
13	Mahagani	8	8	5120	5120	Nil
14	Mahagani	1	20	1600	1600	1x5000
15	Pepper	64	12	148011.65	148011.65	Nil
16	Pepper(NY)	96	4	15360	15360	Nil
17	Vatta	2	4	280	280	Nil
18	Anjili	3	4	960	960	Nil
19	Coffee (Sapling)	8	5	600	600	Nil
20	Jathi	40	2	14500	14500	Nil
21	Pana	3	4	420	420	Nil
	Total			634272.81	749158.89	

(v). Thus, the petitioner is entitled to get a total compensation of **₹7,49,159/-** for the value of trees and expected yields. The compensation already awarded and given to the petitioner under this head is liable to be to be deducted.

In the result, **OP(E)No.89/2022 is disposed of as follows:-**

2. Directing the respondent concerned to pay a sum of **₹13,98,359/-, (Rupees Thirteen Lakhs Ninety Eight Thousand Three Hundred & Fifty Nine only)**, together with interest at the rate of 7% per annum, from the date of petition till its realisation, with proportionate costs of the petitioner. The amount already awarded and paid by the respondents shall be deducted from the above said amount. The interest is ordered to be calculated for the excess amount awarded as per this order.

54.(i). <u>OP(E) No.106/2022 :</u> The petitioner is the owner in possession and enjoyment of the property comprised in resurvey No. 311/9-2 of Ayarkunnam Village over which an electric line was drawn by the respondents. The DVS produced by the respondents would go to show that the affected area in OP(E) 106/2022 is an extent of **3.5** ares. No contra evidence is avialable on record to show otherwise. Therefore, I am of the view that the affected area as measured out by the respondents will have to be accepted. Hence as per the fair value fixed by the government as per Ext.B221, the petitioner is entitled to get an amount of Rs.**7,00,000**/- (100000 x4x 3.5 x 50%) as compensation for the diminution in value of the land and its restrictive use. The compensation already awarded and given to the petitioner under this head is liable to be deducted. It is to be noted that an extent of 1.92 ares of land was taken to erect a tower in his property and to which 5 times of the fair value is seen awarded to the petitioner and the said amount is found to be sufficient, but the respondents are not entitled to get any excess amount refunded mainly on the ground that this court has fixed the market value only 4 times of the fair value. I order accordingly.

(ii).As regards the compensation for the trees which are cut and removed from the property of the petitioner is concerned, it is to be noted that as per Ext.B218 mahazar, it seems that Anjili 12, Teak -10, Vatta -2, Pana -1, Rubber -14, Jack fruit -2, Pepper -20 were cut and removed from the property of the petitioner which is also reflected from Ext.B114 DVS also.

(iii).As regards the determination of compensation for yielding rubber trees is concerned, it is to be noted that a rubber tree would normally begin yielding from its 7th year. An average, conventional rubber tree would give yield around 8 to 10 kg of latex for a minimum period of 20 years. Hence, the average yield from the trees can be fixed as 9 litres of latex a year.In the absence of any independent proof the highest net return value, specified in Ext.B219 DVS ie., Rs.117/- can be taken as the prevailing market price. One-third of the income generated from the rubber trees can be deducted towards the expenses incurred. Since the trees cut and removed were only **8** years of age, a multiplier **12** can be fixed for calculating the compensation, and therefore the petitioner is entitled to get Rs.**1,17,936/-** (14 x 117 x 9 x 12 x 2/3) as compensation for the loss of yielding of rubber trees, cut and removed. It is also to be noted that the timber which were cut and removed were entrusted to the petitioner, who might have sold those valuable trees and got some amount by way of its sale.Having considered my bestowed consideration to the above all aspects especially taking note of the age of the trees cut and removed.I am of the view that the excess amount mentioned in the table referred below can be awarded for each trees. I order accordingly.

(iv) **Table**

Sl. No.	Description of trees	No. of trees	Age (years)	Compensation paid	Compensation Awarded	Excess amount awarded for each tree
1	Anjili	4	15	4800	8000	4x2000
2	Anjili	3	25	6000	15000	3x5000
3	Anjili	5	12	4800	10000	5x2000
4	Teak	4	25	8000	24000	4x6000
5	Teak	6	30	14400	36000	6x6000
6	Pana	1	20	700	700	Nil
7	Vatta	2	25	1750	1750	Nil
8	Rubber	14	8	46175.71	117936	14 x 117 x 9 x 12 x 2/3
9	Jack fruit	1	25	3000	3000	Nil
10	Jack fruit	1	15	750	750	Nil
11	Pepper	20	4	36620.55	36620.55	Nil
	Total			126996.26	253756.55	

(v). Thus, the petitioner is entitled to get a total compensation of **₹2,53,757/-** for the value of trees and expected yields. The compensation already awarded and given to the petitioner under this head is liable to be to be deducted.

In the result, **OP(E)No.106/2022 is disposed of as follows:**

2) Directing the respondents concerned to pay a sum of **₹10,30,557/-, (Rupees Ten Lakhs Thirty Thousand Five Hundred & Fifty Seven only),** together with interest at the rate of 7% per annum, from the date of petition till its realisation, with proportionate costs of the petitioner. The amount already awarded and paid by the respondents shall be deducted from the above said amount. The interest is to be calculated for the excess amount awarded as per this order.

Observation and directions

Before parting with this case, let me observe the necessity of the following directions.

(I) It is important to note that during my inspection of the properties, I have noticed that the area where the tower is erected is not properly fenced which may sometimes cause the loss of human life and animals when they happened to be entered into the tower area where high voltage are reportedly passing and therefore the authority concerned herein shall do the needful to avoid further harm to the life of people and animals.

(II) Further, ongoing by the notification dated 7th July 2023 issued by the Central Telegraph Authority produced by the learned counsel for the Power Grid and KSEB, it seems that a statutory clearance is specified in clause 63 of the Notification. At the hearing the learned counsel appearing for Power Grid and KSEB submitted that there is no restriction for the petitioners to make cultivations and construction in their property after leaving a statuary clearance as mentioned in the said notification and nobody will object when they cultivate or make construction after leaving statuary clearance. Taking note of the above all facts and circumstance of the case and the submission of the learned counsel, I am of the view that the petitioners are entitled to make cultivation and construction after leaving the statutory horizontal clearance of 6.3 meters and vertical clearance of 7.9 meters as specified on clause 63(4) of the aforesaid notification issued by central Electricity Authority and if they cultivate after leaving the official statutory clearance, they shall not be restrained from doing it and if any of the respondents destroyed the cultivation or construction over looking the aforesaid statutory clearance, they would be liable for legal action.

(Dictated to the Confidential Assistant, transcribed by her, corrected by me and pronounced in open court, on this the 29th day of February, 2024).

Sd/-
Sanu.S.Panicker
Addl. District Judge-I

APPENDIX

Exhibits marked for the petitioner

Ext. A 1	Attested copy of sale deed no. 1216/2021 of SRO Kidangoor.
Ext. A 2	Attested copy of sale deed no. 793/2020.
Ext. A 3	Attested copy of sale deed no. 18/19 of SRO Pampady.
Ext. A 4	Attested copy of sale deed no. 185/2017 of SRO Pampady.
Ext. A 5	Attested copy of sale deed no. 11/1/2020 of SRO Pampady.
Ext. A 6	Attested copy of sale deed no. 177/2016 of SRO Pampady.
Ext. A 7	Copy of price list in Indiamart showing market

	value of Teak wood.
Ext. A 8	Copy of price list in Indiamart showing market value of Anjili wood.
Ext. A 9	Copy of price list in Indiamart showing market value of Mahagony.
Ext. A 10	Copy of price list in Indiamart showing market value of Jackfruit tree.
Ext. A 11	Copy of price list in Indiamart showing market value of Nutmeg.
Ext. A 12	Copy of price list in Exporters India showing market value of Jackfruit.
Ext. A 13	Copy of price list in Commodity insightsx.com showing market value of Coconut.
Ext. A 14	Copy of price list in Indiamart showing market value of Areconut (Betel Nuts).
Ext. A 15	Copy of New Indian Express daily showing market value of Rubber.
Ext. A 16	Attested copy of the revised seigniorage rate of wood.
Ext. A 17	Attested copy of the price list of the coffee beans in Indiamart.
Ext. A 18	Attested copy of the price list of the pepper in Amazon.
Ext. A 19	Copy of Malayala Manorama daily dated 13.07.2016.
Ext. A 20	Attested copy of the judgment in OP(Electricity) 205/2019.
Ext. A 21	Architect prepared site plan in OP(EA) 28/21 and OP (EA) 31/21.
Ext. A 22	Litho map dated 13-01-2023 issued by the Village office Kooropada
Ext. A 23	Attested copy of sale deed no. 953/2017 of SRO Kidangoor.

<u>**Exhibits marked for the respondents**</u>.

Ext.B 1	True copy of the Notice issued by PGCIL.
Ext.B 2	True copy of the Mahazar prepared by R.I.
Ext.B 3	True copy of the DVS approved for trees
Ext.B 4	True copy of the Survey Sketch for Corridor between Towers No. 197/0 – 198/0.
Ext.B 5	True copy of DVS of Items No.3 & 5 between Towers 197/0-198/0.
Ext.B 6	True copy of the Notice issued by PGCIL.
Ext.B 7	True copy of the Mahazar prepared by R.I.
Ext.B 8	True copy of the DVS approved for trees
Ext.B 9	True copy of DVS of Items No.6 & 7 between Towers 197/0-198/0.
Ext.B 10	True copy of the Notice issued by PGCIL
Ext.B 11	True copy of the Mahazar prepared by R.I.
Ext.B 12	True copy of the DVS approved for trees
Ext.B 13	True copy of the Survey Sketch for Corridor between Towers No. 193A/0 – 193B/0.
Ext.B 14	True copy of DVS of Items No.8 & 10 between Towers No. 193A/0 – 193B/0.
Ext.B 15	True copy of the Notice issued by PGCIL.
Ext.B 16	True copy of the Mahazar prepared by R.I.
Ext.B 17	True copy of the DVS approved for trees
Ext.B 18	True copy of the Survey Sketch for Corridor between Towers.
Ext.B 19	True copy of DVS of Items No.7 & 9 between Towers 193A/0 – 193B/0.
Ext.B 20	True copy of the Notice issued by PGCIL.

Ext.B 21	True copy of the Mahazar prepared by R.I.
Ext.B 22	True copy of the DVS approved for trees
Ext.B 23	True copy of the Survey Sketch for Corridor between Towers No. 188/3 – 188/4.
Ext.B 24	True copy of DVS of Items No.2 between Towers No. 188/3 – 188/4.
Ext.B 25	True copy of the Notice issued by PGCIL.
Ext.B 26	True copy of the Mahazar prepared by R.I.
Ext.B 27	True copy of the DVS approved for trees
Ext.B 28	True copy of the Survey Sketch for Corridor between Towers No. 188/5-188/4.
Ext.B 29	True copy of DVS of Items No.14 & 15 between Towers No. 188/5-188/4.
Ext.B 30	True copy of the Notice issued by PGCIL.
Ext.B 31	True copy of the Mahazar prepared by R.I.
Ext.B 32	True copy of the DVS approved for trees
Ext.B 33	True copy of the Mahazar of Tower area.
Ext.B 34	True copy of the Survey Sketch of Tower area.
Ext.B 35	True copy of DVS of Tower area.
Ext.B 36	True copy of the Notice issued by PGCIL.
Ext.B 37	True copy of the Mahazar prepared by R.I.
Ext.B 38	True copy of the DVS approved for trees
Ext.B 39	True copy of the Survey Sketch for Corridor between Towers No. 192A/0 – 193/0.
Ext.B 40	True copy of DVS of Items No.7 between Towers No. 192A/0 – 193/0.
Ext.B 41 series	True copy of the Notices issued by PGCIL.

Ext.B 42 series	True copy of the Mahazars prepared by R.I.
Ext.B 43 series	True copy of the DVS approved for trees
Ext.B 44	True copy of the Notice issued by PGCIL.
Ext.B 45	True copy of the Mahazar prepared by R.I.
Ext.B 46	True copy of the DVS approved for trees
Ext.B 47	True copy of the Notices issued by PGCIL.
Ext.B 48	True copy of the Mahazars prepared by R.I.
Ext.B 49	True copy of the DVS approved for trees
Ext.B 50	True copy of the Notices issued by PGCIL.
Ext.B 51	True copy of the Mahazars prepared by R.I.
Ext.B 52	True copy of the DVS approved for trees
Ext.B 53	True copy of the Survey Sketch for Corridor between Towers No. 170/0 – 171/0.
Ext.B 54	True copy of DVS of Items No.8,9 & 11 between Towers No. 170/0 – 171/0.
Ext.B 55	True copy of the Notices issued by PGCIL.
Ext.B 56	True copy of the Mahazars prepared by R.I.
Ext.B 57	True copy of the DVS approved for trees
Ext.B 58	True copy of the Survey Sketch for Corridor between Towers No. 182/0 – 183/0.
Ext.B 59	True copy of DVS of Item No.5 between Towers No. 182/0 – 183/0.
Ext.B 60	True copy of the Notice issued by PGCIL.
Ext.B 61	True copy of the Mahazar prepared by R.I.
Ext.B 62	True copy of the DVS approved for trees

Ext.B 63	True copy of DVS of Items No.3 & 4 between Towers 182/0-183/0.
Ext.B 64	True copy of the Notice issued by PGCIL.
Ext.B 65	True copy of the Mahazar prepared by R.I.
Ext.B 66	True copy of the DVS approved for trees
Ext.B 67	True copy of the Survey Sketch for Corridor between Towers No. 184/0 - 185/0.
Ext.B 68	True copy of DVS of Items No.4 between Towers No. 184/0 - 185/0
Ext.B 69	True copy of the Notice issued by PGCIL.
Ext.B 70	True copy of the Mahazar prepared by R.I.
Ext.B 71	True copy of the DVS approved for trees
Ext.B 72	True copy of DVS of Items No.6 & 7 between Towers No. 182/0 - 183/0
Ext.B 73	True copy of the Notice issued by PGCIL.
Ext.B 74	True copy of the Mahazar prepared by R.I.
Ext.B 75	True copy of the DVS approved for trees.
Ext.B 76	True copy of the Notice issued by PGCIL.
Ext.B 77	True copy of the Mahazar prepared by R.I.
Ext.B 78	True copy of the DVS approved for trees.
Ext.B 79	True copy of the Survey Sketch for Corridor between Towers No. 186/0 - 187/0.
Ext.B 80	True copy of DVS of Items No.10,11 & 12 between Towers No. 186/0 - 187/0.
Ext.B 81	True copy of the Notice issued by PGCIL.
Ext.B 82	True copy of the Mahazar prepared by R.I.
Ext.B 83	True copy of the DVS approved for trees

Ext.B 84	True copy of the Survey Sketch for Corridor between Towers No. 183/0 – 184/0.
Ext.B 85	True copy of DVS of Items No.21 & 24 between Towers No. 183/0 – 184/0..
Ext.B 86	True copy of the Notice issued by PGCIL.
Ext.B 87	True copy of the Mahazar prepared by R.I.
Ext.B 88	True copy of the DVS approved for trees.
Ext.B 89	True copy of the Notice issued by PGCIL.
Ext.B 90	True copy of the Mahazar prepared by R.I.
Ext.B 91	True copy of the DVS approved for trees.
Ext.B 92	True copy of the Survey Sketch for Corridor between Towers No. 180/0 – 181/0.
Ext.B 93	True copy of DVS of Items No.3 & 5 between Towers No. 180/0 – 181/0.
Ext.B 94	True copy of the Notice issued by PGCIL.
Ext.B 95	True copy of the Mahazar prepared by R.I.
Ext.B 96	True copy of the DVS approved for trees.
Ext.B 97	True copy of the Notice issued by PGCIL
Ext.B 98	True copy of the Mahazar prepared by R.I.
Ext.B 99	True copy of the DVS approved for trees.
Ext.B 100	True copy of the Survey Sketch for Corridor between Towers No. 185/0 – 186/0.
Ext.B 101	True copy of DVS of Items No.3 between Towers No. 185/0 – 186/0.
Ext.B 102	True copy of the Notice issued by PGCIL.
Ext.B 103	True copy of the Mahazar prepared by R.I.
Ext.B 104	True copy of the DVS approved for trees.
Ext.B 105	True copy of the Survey Sketch for Corridor

	between Towers No. 183/0 – 184/0.
Ext.B 106	True copy of DVS of Items No.1 & 2 between Towers No. 183/0 – 184/0.
Ext.B 107	True copy of the Notice issued by PGCIL.
Ext.B 108	True copy of the Mahazar prepared by R.I.
Ext.B 109	True copy of the DVS approved for trees.
Ext.B 110	True copy of DVS of Items No.3 between Towers No. 184/0 – 185/0.
Ext.B 111	True copy of DVS of Items No.3 & 5 between Towers No. 186/0 – 187/0.
Ext.B 112	True copy of the Notice issued by PGCIL.
Ext.B 113	True copy of the Mahazar prepared by R.I.
Ext.B 114	True copy of the DVS approved for trees.
Ext.B 115	True copy of the Survey Sketch for Corridor between Towers No. 183/0 – 184/0.
Ext.B 116	True copy of DVS of Items No.3 & 5 between Towers No. 183/0 – 184/0.
Ext.B 117	True copy of the Notice issued by PGCIL.
Ext.B 118	True copy of the Mahazar prepared by R.I.
Ext.B 119	True copy of the DVS approved for trees.
Ext.B 120	True copy of the Survey Sketch for Corridor between Towers No. 183/0 – 184/0.
Ext.B 121	True copy of DVS of Items No.12 between Towers 183/0 – 184/0.
Ext.B 122	True copy of the Notice issued by PGCIL.
Ext.B 123	True copy of the Mahazar prepared by R.I.
Ext.B 124	True copy of the DVS approved for trees.

Ext.B 125	True copy of the Survey Sketch for Corridor between Towers No. 183/0 – 184/0.
Ext.B 126	True copy of DVS of Items No.7 between Towers 183/0 – 184/0.
Ext.B 127	True copy of the Mahazar prepared by R.I.
Ext.B 128	True copy of the DVS approved for trees.
Ext.B 129	True copy of the Survey Sketch for Corridor between Towers No. 184/0 – 185/0.
Ext.B 130	True copy of DVS of Items No.6 & 9 between Towers 184/0 – 185/0.
Ext.B 131 Series	True copy of the Notices issued by PGCIL.
Ext.B 132 Series	True copy of the Mahazars prepared by R.I.
Ext.B 133 Series	True copy of the DVS approved for trees.
Ext.B 134	True copy of the Survey Sketch of Tower No. 185/0.
Ext.B 135	True copy of the DVS approved for Tower area.
Ext.B 136	True copy of the Survey Sketch for Corridor between Towers No. 185/0 – 186/0.
Ext.B 137	True copy of DVS of Items No.12 between Towers 185/0 – 186/0.
Ext.B 138	True copy of the Notice issued by PGCIL.
Ext.B 139	True copy of the Mahazar prepared by R.I.
Ext.B 140	True copy of the DVS approved for trees
Ext.B 141	True copy of the Survey Sketch of Tower area.
Ext.B 142	True copy of the DVS approved for Tower area.
Ext.B 143	True copy of the Survey Sketch for Corridor between Towers No. 227/1 – 228/0.
Ext.B 144	True copy of DVS of Items No.12 & 13 between Towers 227/1 – 228/0.

Ext.B 145	True Copy of the Mahazar of Tower area.
Ext.B 146 series	True copy of the Notices issued by PGCIL.
Ext.B 147 series	True copy of the Mahazars prepared by R.I.
Ext.B 148 series	True copy of the DVS approved for trees
Ext.B 149	True copy of the Notice issued by PGCIL.
Ext.B 150	True copy of the Mahazar prepared by R.I.
Ext.B 151	True copy of the DVS approved for trees
Ext.B 152	True copy of the Survey Sketch for Corridor between Towers No. 185/0 - 186/0.
Ext.B 153	True copy of DVS of Items No.7 between Towers 185/0 - 186/0.
Ext.B 154 Series	True copy of the Notice issued by PGCIL.
Ext.B 155 Series	True copy of the Mahazar prepared by R.I.
Ext.B 156 Series	True copy of the DVS approved for trees
Ext.B 157	True copy of the Survey Sketch for Corridor between Towers No. 223/2 - 224/0.
Ext.B 158	True copy of DVS of Items No.17,18 & 19 between Towers 223/2 - 224/0.
Ext.B 159 Series	True copy of the Notice issued by PGCIL.
Ext.B 160 Series	True copy of the Mahazar prepared by R.I.
Ext.B 161 Series	True copy of the DVS approved for trees
Ext.B 162	True copy of the Survey Sketch for Corridor between Towers No. 209/0 - 210/0.
Ext.B 163	True copy of DVS of Items No. 5 between Towers

	209/0 - 210/0.
Ext.B 164	True copy of the Notice issued by PGCIL.
Ext.B 165	True copy of the Mahazar prepared by R.I.
Ext.B 166	True copy of the DVS approved for trees
Ext.B 167	True copy of the Survey Sketch for Corridor between Towers No. 185/0 - 186/0.
Ext.B 168	True copy of DVS of Items No.4 between Towers 185/0 - 186/0.
Ext.B 169	True copy of the Notice issued by PGCIL.
Ext.B 170	True copy of the Mahazar prepared by R.I.
Ext.B 171	True copy of the DVS approved for trees
Ext.B 172	True copy of Survey Sketch of Tower No. 184/0
Ext.B 173	True copy of the DVS prepared for Tower area.
Ext.B 174 Series	True copy of the Notice issued by PGCIL.
Ext.B 175 Series	True copy of the Mahazar prepared by R.I.
Ext.B 176 Series	True copy of the DVS approved for trees
Ext.B 177	True copy of Sketch Mahazar of Tower area.
Ext.B 178	True copy of the DVS prepared for Tower area.
Ext.B 179 Series	True copy of the Notice issued by PGCIL.
Ext.B 180 Series	True copy of the Mahazar prepared by R.I.
Ext.B 181 Series	True copy of the DVS approved for trees
Ext.B 182	True copy of Survey Sketch of Tower Area.
Ext.B 183	True copy of the DVS prepared for Tower area.
Ext.B 184	True copy of the Survey Sketch for Corridor between Towers No. 192/0 - 192A/0.

Ext.B 185	True copy of DVS of Items No.1 & 4 between Towers 192/0 – 192A/0.
Ext.B 186	True copy of the Survey Sketch for Corridor between Towers No. 192A/0 – 193/0.
Ext.B 187	True copy of DVS of Items No.9 between Towers 192A/0 – 193/0.
Ext.B 188 Series	True copy of the Notice issued by PGCIL.
Ext.B 189 Series	True copy of the Mahazar prepared by R.I.
Ext.B 190 Series	True copy of the DVS approved for trees
Ext.B 191	True copy of Survey Sketch of Tower Area.
Ext.B 192	True copy of the DVS prepared for Tower area.
Ext.B 193	True copy of the Survey Sketch for Corridor between Towers No. 196/0 – 195A/0.
Ext.B 194	True copy of DVS of Items No.5 & 7 between Towers 196/0 – 195A/0.
Ext.B 195	True copy of the Survey Sketch for Corridor between Towers No. 195A/0 – 195/1.
Ext.B 196	True copy of DVS of Items No.1 & 2 between Towers 195A/0 – 195/1.
Ext.B 197	True copy of the Notice issued by PGCIL.
Ext.B 198	True copy of the Mahazar prepared by R.I.
Ext.B 199	True copy of the DVS approved for trees.
Ext.B 200	True copy of the Survey Sketch for Corridor between Towers No. 196/0 – 197/0.
Ext.B 201	True copy of DVS of Items No.5 between Towers 196/0 – 197/0.
Ext.B 202	True copy of the Notice issued by PGCIL.

Ext.B 203	True copy of the Mahazar prepared by R.I.
Ext.B 204	True copy of the DVS approved for trees
Ext.B 205	True copy of the Survey Sketch for Corridor between Towers No. 197/0 – 198/0.
Ext.B 206	True copy of DVS of Items No.9 & 10 between Towers 197/0 – 198/0.
Ext.B 207	True copy of the Notice issued by PGCIL.
Ext.B 208	True copy of the Mahazar prepared by R.I.
Ext.B 209	True copy of the DVS approved for trees.
Ext.B 210	True copy of the Survey Sketch for Corridor between Towers No. 197/0 – 198/0.
Ext.B 211	True copy of DVS of Items No.13 & 14 between Towers 197/0 – 198/0.
Ext.B 212	True copy of the Notice issued by PGCIL.
Ext.B 213	True copy of the Mahazar prepared by R.I.
Ext.B 214	True copy of the DVS approved for trees.
Ext.B 215	True copy of the Survey Sketch for Corridor between Towers No. 184/0 – 183/0.
Ext.B 216	True copy of DVS of Items No.14 between Towers 184/0 – 183/0.
Ext.B 217	True copy of the Notice issued by PGCIL.
Ext.B 218	True copy of the Mahazar prepared by R.I.
Ext.B 219	True copy of the DVS approved for trees.
Ext.B 220	True copy of the Survey Sketch for Corridor between Towers No. 195/0 – 195/1.
Ext.B 221	True copy of DVS of Items No.1 between Towers 195/0 – 195/1.
Ext.B 222 Series	True copy of the Notice, Mahazar, DVS,

	prepared by R.I.
Ext.B 223 Series	True copy of the Notice, Mahazar, DVS, prepared by R.I.
Ext.B 224 Series	True copy of the Notice, Mahazar, DVS, prepared by R.I.
Ext.B 225	True copy of DVS of Items No.3 & 5 between Towers 192/A0-192/0.
Ext.B 226	True copy of DVS of Items No.3 & 5 between Towers 193/A0-193/0.
Ext.B 227	True copy of DVS of Items No.3 & 5 between Towers 185/A0-184/0.

Witness Examined for the petitioner.

PW1 - M.J.John - 18-10-2023

PW2 - Kurian K. Kuriakose - 18-10-2023

Witness Examined for the respondents:- Nil

Id/-

Addl. District Judge - I

//True copy//

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