

**IN THE COURT OF THE PRINCIPAL DISTRICT JUDGE,
SALEM.**

Present: Tmt.**S.Sumathy, M.L.**,
Principal District Judge,
Salem.

Monday, this the 30th day of March, 2026.

R.T.R.O.P. No. 215/2020
(CNR.No.TNSA010051902020)

R.T.R.O.P. No. 216/2020
(CNR.No.TNSA010051892020)

and

R.T.R.O.P. No. 217/2020
(CNR.No.TNSA010051882020)

R.T.R.O.P. No. 215/2020

- 1) K.R.Premnath
- 2) P. Sadana
- 3) R. Srinath

.. Claimants

/Versus/

- 1) The Land Acquisition Officer and
District Revenue Officer,
Salem.
- 2) The Divisional Engineer Highways,
Construction and Maintenance,
Salem.

..Respondents

**Claim Statement amended as per the Order in
I.A.No.3/2024, dated 21.10.2024.

R.T.R.O.P. No. 216/2020

- 1) R. Srinath
- 2) P. Sadana

.. Claimants

/Versus/

- 1) The Land Acquisition Officer and District Revenue Officer, Salem.
 - 2) The Divisional Engineer Highways, Construction and Maintenance, Salem.
- ..Respondents

**Claim Statement amended as per the Order in I.A.No.3/2024, dated 21.10.2024.

R.T.R.O.P. No. 217/2020

- 1) K.R.Annapurana
 - 2) R. Srinath
 - 3) P. Sadana
- .. Claimants

/Versus/

- 1) The Land Acquisition Officer and District Revenue Officer, Salem.
 - 2) The Divisional Engineer Highways, Construction and Maintenance, Salem.
- ..Respondents

**Claim Statement amended as per the Order in I.A.No.3/2024, dated 21.10.2024.

These references are coming on 26.03.2026 for final hearing before me, in the presence of Tr.P.Ashok, Counsel appearing for claimants in all petitions, Tr.K.Naresh Babu, Additional Government Pleader appearing for respondent in all petitions, after hearing the both side arguments, upon perusal of records and having stood over till this day for consideration, this Court delivers the following:

COMMON ORDER

The Land Acquisition Officer and District Revenue Officer, Salem has made these references under section 20(1) of the Tamil Nadu Highways Act r/w. section 64 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

2. Reference in brief in all petitions:-

The land in T.S.No.D/41/9-2 and etc., an extent of 853.5 sq.mtrs. was acquired by the respondents for the purpose of construction of Two Tier Flyover at Five Road Junction including construction of flyover up to Ramakrishna Road Junction and Four Road Junction in Salem City (5 Road to New Bus Stand)⁶⁵ at Alagapuram and Meyanoor Village, Salem West Taluk in Salem District, under Tamil Nadu Highways Act 2001 (Tamil Nadu Act 34/2002 and Tamil Nadu Act 38/2019), and issued Notification in G.O.Ms.No.74 Highways and Minor Ports(HP-1) Department dated 02.04.2018 under section 15 sub section (2) of Tamil Nadu Highways Act, 2001, dated 05.07.2017. A sum of Rs.32,96,453/- for 27.5 sq.mtrs. in T.S.No.M/17/69-2 (after Sub Division) to the Claimants (in RTROP.No.215/2020), Rs.6,59,735/- for 4.0 sq.mtrs. in T.S.No.M/17/72-2 (after Sub Division) to the Claimants (in RTROP.No.216/2020), and Rs.38,54,305/- for 28.5 sq.mtrs. in

T.S.No.M/17/71-2 (after Sub Division) to the Claimants (in RTROP.No.217/2020) has been awarded as compensation as per Award No.2/2019, dated 31.07.2020. The compensation amount was received by the claimants. But they were not satisfied with the compensation and requested to refer the matter to the Court for enhancement of compensation. So these references are made before this Court and the references were taken on file as RTROP.No.215/2020, 216/2020 and 217/2020.

3) **Claim statement filed by the 3rd Claimant and adopted by 1st and 2nd Claimants in brief in RTROP.No.215/2020:-**

The property measuring 27.5 sq.mtrs. (296 sq.ft.) of commercial land with cement stone, fence gate and advertisement board in Ward-M, Block-17, T.S.No.69/2 (Old S.No.49/3B2) of Meiyannur Village within Salem City Municipal Corporation limits at Salem New Bus Stand to Five Roads Main Road belongs to the claimants under three registered sale deeds bearing document Nos.1870/1991 dated 11.07.1991, 1905/1991 dated 29.07.1991 and 3170/1991 dated 07.11.1991 executed by Govindaraj and others. A cement stone, fence gate and advertisement board were in the property. The 1st respondent acquired the claimants property in Award No.2/2019 on 31.07.2020 for the 2nd respondent and very low compensation amount at the rate of Rs.4,690/- per sq.ft.

(Rs.50,481 per sq.mtr.) and a sum of Rs.3,731/- for the structures were paid on 07.08.2020. The claimants received the compensation amount under protest, since the claimants were not satisfied with the compensation amount fixed by the 1st respondent. The 1st respondent while deciding the nature and character of the lands under acquisition failed to take into consideration of the location of the land, and its major commercial value. The data sale deeds relied upon by the 1st respondent for fixing the value of the acquired lands does not represent the market value of the lands sold under those documents. The data land sold for very high prices and the documents were purposely undervalued for evasion of stamp duty and for minimising the documentation expenses. The data sale deed land is far away from the land acquired and situate in interior location. The sale deeds of very low value have been selected for the purpose of determining the value of the acquired lands. The 1st respondent has not taken into consideration of the fact that acquired land situates very nearer to the Salem New Bus stand, Salem Five Roads Junction, big malls, major jewelers shops, major textile malls, big shopping malls, multi-specialty hospitals, hotels, the existing KMB Marriage Hall and Salem Castle Star Hotel while fixing the compensation value of the land. It is situated opposite to Salem Castle Star Hotel. The increased potential value of the lands in the area will definitely go to

show that the values fixed for the lands are not in accordance with the law. The lands acquired are capable of being converted into multi storied commercial buildings since the acquired land is in the Salem town. The guide line value for the land was Rs. 7,000/- per sq.ft. at the time of notification. The land acquired would easily fetch 10 times than the guideline value. The 1st respondent did not considered the matters which are to be followed in determining compensation as per the Act. The market value of the land on the date of the publication of the notification was Rs.50,706/- per sq.ft. But it was not considered by the 1st respondent while determining the compensation amount of the land acquired. The 1st respondent purposely selected the data sale deed far away from the claimants land for fixing lowest price. The present value of the structures is Rs.1,00,000/- but the 1st respondent fixed the value as Rs.90,668/-. The data sale deeds relied upon by the 1st respondent for fixing the value of the acquired lands does not represent the market value of the lands. As per the sale statistics taken by the 1st respondent within the radius of 1.6 km. shows that the sale value of the lands are more than Rs.50,000/- to 55,000/-. The serial No.83 clearly shows that the sale value of the land is Rs.50,706/-. The sale deeds of very low value have been selected for the purpose of determining the value of the acquired lands. There are good number of sales to support the petitioners claim as per the data sale

statistics. The 1st respondent ought to have considered the commercial activities and fixed its value on the basis and granted compensation amount at the rate of Rs.50,706/- per sq.ft. The 1st respondent did not consider the guideline value fixed by the Govt. from 01.04.2012 to 08.06.2017 which was Rs.7,000/- per sq.ft. and the market value is Rs.50,706/- per sq.ft. prior to three years period of notification. The 1st respondent acquired front portion of the compound wall and the advertisement board and the rear portion was severed. Due to the acquisition the business of the claimants were affected and got business loss. The 1st respondent has not paid any severance compensation and for business loss. The 1st respondent has not even dealt with the objection submitted by the claimants. The 1st respondent ought to have pay loss of business for 3 years during construction of flyover at the rate of Rs.1,00,000/- p.a. totaling Rs.3,00,000/-. Due to construction the flyover the advertisement board was not booked for long period and the claimants got business loss. The 1st respondent has not granted any amount under the heads of business loss while the construction of flyover for long period. The guideline value for the land was Rs.7,000/- on the date of notification. Subsequently the state Govt. reduced the guideline value at the time of notification but he has not done so and it is a wrong procedure while determining compensation. The similar lands in the

vicinity were sold for Rs.50,706/- and registered for Rs.12,500/-, Rs.14,500/- for evasion of stamp duty at the date of notification. The 1st respondent ought to have adopted the market value of those sale deeds for fixing value for the land acquired also. The claimants purchased the acquitted land for the propose of constructing a Jewelry Shop and a Star Hotel in it. But no interest paid by the 1st respondent from taking possession to till the date of deposit as per Sec 24 of the Tamil Nadu Highways Act, 2001. The 1st respondent has not considered the commercial demand of land and fixed the value of the property at his whims and fancies and without any basis. The lands in the area prior to notification under Sec. 15(2) of the Tamil Nadu Highways Act 2001 were sold at the rate of Rs.50,706/- per sq.ft. Therefore it is prayed that this Court may be pleased to pass an award determining (1) the value of the land at Rs.50,706/- per sq.ft.; (2) the value of the structures at Rs.1,00,000/-; (3) loss of business for 3 years during construction of flyover at the rate of Rs.1,00,000/- p.a., totaling Rs.3,00,000/-; (4) solatium at the rate of 100% on the market value of the properties acquired; (5) the additional amount calculated at the rate of 12% per annum on the market value of the properties acquired from 05.07.2017 to 31.07.2020; and (6) with interest at the rate of 9% per annum for one year from 31.07.2020 and thereafter at the rate of 15% per annum from

01.08.2020 on the total compensation amount including solatium and additional amount and till the date of deposit of the amount into Court with costs.

4) **Claim statement filed by the 1st Claimant and adopted by 2nd Claimants in brief in RTROP.No.216/2020:-**

The property measuring 4.0 sq.mtrs. (43 sq.ft.) of commercial land with commercial shops building in Ward-M, Block-17, T.S.No.72/2 (Old S.No.50/5A1B1part) of Meiyannur Village within Salem City Municipal Corporation limits at Salem New Bus Stand to Five Roads Main Road belongs to the claimants under a registered sale deed dated 02.11.2005, bearing document No.4936/2005 executed one K.P.Manoharan. A shoe shop was running in the property. The 1st respondent acquired the claimants property in Award No.2/2019 on 31.07.2020 for the 2nd respondent and very low compensation amount at the rate of Rs.4,690/- per sq.ft. (Rs.50,481 per sq.mtr.) and a sum of Rs.90,668/- for the structures were paid on 07.08.2020. The claimants received the compensation amount under protest, since the claimants were not satisfied with the compensation amount fixed by the 1st respondent. The 1st respondent while deciding the nature and character of the lands under acquisition failed to take into consideration of the location of the land and it's major commercial value. The data sale deeds relied upon by the 1st

respondent for fixing the value of the acquired lands does not represent the market value of the lands sold under those documents. The data land sold for very high prices and the documents were purposely undervalued for evasion of stamp duty and for minimising the documentation expenses. The data sale deed land is far away from the land acquired and situate in interior location. The sale deeds of very low value have been selected for the purpose of determining of the value of the acquired lands. The respondent has not taken into consideration of the fact that the acquired land situates very nearer to the Salem New Bus stand, Salem Five Roads Junction, big malls, major jewelers shops, major textile malls, big shopping malls, multi-specialty hospitals, star hotels, the existing KMB Marriage Hall and Salem Castle Star Hotel while fixing compensation value of the land. It is situated opposite to Salem Castle Star Hotel. The increased potential value of the lands in the area will definitely go to show that the values fixed for the lands are not in accordance with the law. The lands acquired are capable of being converted into multi storied commercial buildings since the acquired land is in the Salem town. The 1st respondent erred in not holding that the lands are commercial lands and fixed its value as per the guide line value. The guide line value for the land was Rs. 7,000/- per sq.ft. at the time of notification. The land acquired would easily fetch 10 times than the

guideline value. The 1st respondent has not considered the matters which are to be followed in determining compensation as per the Act. The market value of the land on the date of the publication of the notification was Rs.50,706/- per sq.ft. But it was not considered by the 1st respondent while determining the compensation amount of the land acquired. The 1st respondent purposely selected the data sale deed far away from the claimants land for fixing lowest price. The present value of the structures is Rs. 3,00,000/- but the 1st respondent fixed the value as Rs.90,668/-. The data sale deeds relied upon by the 1st respondent for fixing the value of the acquired lands does not represent the market value of the lands. As per the sale statistics taken by the 1st respondent within the radius of 1.6 km. shows that the sale value of the lands are more than Rs.50,000/- to 55,000/-. The serial No.83 clearly shows that the sale value of the land is Rs.50,706/-. The sale deeds of very low value have been selected for the purpose of determining of the value of the acquired lands. There are good number of sales to support the petitioners claim as per the data sale statistics. The 1st respondent ought to have considered the commercial activities and fixed its value on the basis and granted compensation amount at the rate of Rs.50,706/- per sq.ft. The 1st respondent did not consider the guideline value fixed by the Govt. from 01.04.2012 to 08.06.2017 which was Rs.7,000/- per sq.ft. and the market

value is Rs.50,706/- per sq.ft. prior to three years period of notification. The 1st respondent acquired front portion of the building and the rear portion was severed. Due to the acquisition the business of the claimants are affected and got business loss. The 1st respondent has not paid any severance compensation and for business loss. The 1st respondent has not even dealt with the objection submitted by the claimants on 12.09.2019. The 1st respondent ought to have paid loss of business for 3 years during construction of fly over at the rate of Rs.3,00,000/- p.a. totaling Rs.9,00,000/-. Due to construction of flyover the shop was closed for long period and the claimants got business loss. The 1st respondent has not granted any amount under the heads of business loss while the construction of flyover for long period. The guideline value for the land was Rs.7,000/- on the date of notification. Subsequently the state Govt. reduced the guideline value into Rs.4,500/-. The 1st respondent ought to have adopted the guideline value at the time of notification but he has not done so and it is a wrong procedure while determining compensation. The similar lands in the vicinity were sold for Rs.50,706/- and registered for Rs.12,500/-, Rs.14,500/- for evasion of stamp duty at the date of notification. The 1st respondent ought to have adopted the market value of those sale deeds for fixing value for the land acquired also. The claimants submit that they purchased the acquired land for the purpose of

constructing a Jewelry Shop and a Star Hotel in it. But no interest paid by the 1st respondent from taking possession to till the date of deposit. It is unfortunate that the 1st respondent has not considered the commercial demand of land and fixed the value of the property at his whims and fancies and without any basis. The lands in the area prior to notification under Sec. 15(2) of the Tamil Nadu Highways Act 2001 were sold at the rate of Rs.50,706/- per sq.ft. Therefore it is prayed that this Court may be pleased to pass an award determining, (1) the value of the land at Rs.50,706/- per sq.ft.; (2) the value of the structures at Rs.3,00,000/-; (3) loss of business for 3 years during construction of flyover at the rate of Rs.3,00,000/- p.a. totaling Rs.9,00,000/-; (4) solatium at the rate of 100% on the market value of the properties acquired; (5) the additional amount calculated at the rate of 12% per annum on the market value of the properties acquired from 05.07.2017 to 31.07.2020; (6) with interest at the rate of 9% per annum for one year from 31.07.2020 and thereafter at the rate of 15% per annum from 01.08.2020 on the total compensation amount including solatium and additional amount and till the date of deposit of the amount into Court with costs.

5) Claim statement filed by the 2nd Claimant and adopted by 1st and 3rd Claimants in brief in RTROP.No.217/2020:-

The property measuring 28.5 sq.mtrs. (306-³/₄ sq.ft.) of land with

commercial building in Ward-M, Block-17, T.S.No.71/2 (Old S.No.50/5A1B1part) of Meiyanur Village within Salem City Municipal Corporation limits at Salem New Bus Stand to Five Roads Main Road belongs to the claimants under a registered sale deed dated 02.11.2005 bearing document No.4936/2005 executed by one K.P.Manoharan. There is a commercial building in the name of Sri Ranga Towers Shopping Complex and the claimant let out the building for Weather Dynamics A/c Shop. The 1st respondent acquired the claimants property in Award No.2/2019 on 31.07.2020 for the 2nd respondent and very low compensation amount at the rate of Rs.4,690/- per sq.ft. (Rs.50,481 per sq.mtr.) and a sum of Rs.16,61,679.50 for the structures were paid on 07.08.2020. The claimants received the compensation amount under protest, since the claimants were not satisfied with the compensation amount fixed by the 1st respondent. The 1st respondent while deciding the nature and character of the lands under acquisition failed to take into consideration of the location of the land, and its major commercial value. The data sale deeds relied upon by the 1st respondent for fixing the value of the acquired lands does not represent the market value of the lands sold under those documents. The data land sold for very high prices and the documents were purposely undervalued for evasion of stamp duty and for minimising the documentation expenses. The data sale deed land is

far away from the land acquired and situate in interior location. The sale deeds of very low value have been selected for the purpose of determination of the value of the acquired lands. The 1st respondent has not taken into consideration of the fact that the acquired land situates very nearer to the Salem New Bus stand, Salem Five Roads Junction, big malls, major jewelers shops, major textile malls, big shopping malls, multi-specialty hospitals, star hotels, the existence of KMB Marriage Hall and Salem Castle Star Hotel while fixing the compensation value of the land. It is situated opposite to Salem Castle Star Hotel. The increased potential value of the lands in the area will definitely go to show that the values fixed for the lands are not in accordance with the law. The lands acquired are capable of being converted into multi storied commercial buildings since the acquired land is in the Salem Town. The guide line value for the land was Rs.7,000/- per sq.ft. at the time of notification. The land acquired would easily fetch 10 times than the guideline value. The 1st respondent did not considered the matters which are to be followed in determining compensation as per the Act. The market value of the land on the date of the publication of the notification was Rs.50,706/-per sq.ft. But it was not considered by the 1st respondent while determining the compensation amount of the land acquired. The 1st respondent purposely selected the data sale deed far away from the

claimants land for fixing lowest price. The present value of the structures is Rs.1,00,000/- but the 1st respondent fixed the value as Rs.2,22,857/-. The data sale deeds relied upon by the 1st respondent for fixing the value of the acquired lands does not represent the market value of the lands. As per the sale statistics taken by the 1st respondent within the radius of 1.6 km. shows that the sale value of the lands are more than Rs.50,000/- to 55,000/-. The serial No.83 clearly shows that the sale value of the land is Rs.50,706/-. The sale deeds of very low value have been selected for the purpose of determining the value of the acquired lands. There are good number of sales to support the petitioners claim as per the data sale statistics. The 1st respondent ought to have considered the commercial activities and fixed its value on the basis and granted compensation amount at the rate of Rs.50,706/- per sq.ft. The 1st respondent did not consider the guideline value fixed by the Govt. from 01.04.2012 to 08.06.2017 which was Rs.7,000/- per sq.ft. and the market value is Rs.50,706/- per sq.ft. prior to three years period of notification. The 1st respondent acquired front portion of the building and the rear portion was severed. Due to the acquisition the business of the claimants were affected and got business loss. The 1st respondent has not paid any severance compensation and for business loss. The 1st respondent has not even dealt with the objection submitted by the claimants on 12.09.2019.

The 1st respondent ought to have pay loss of business for 3 years during construction of flyover at the rate of Rs.3,00,000/- p.a., totaling Rs.9,00,000/-. Due to construction of flyover the shopping complex was closed for long period and the claimants got business loss. The 1st respondent has not granted any amount under the heads of business loss while the construction of flyover for long period. The guideline value for the land was Rs.7,000/- on the date of notification. Subsequently the State Govt. reduced the guideline value into Rs.4,500/-. The 1st respondent ought to have adopted the guideline value at the time of notification but he has not done so and it is a wrong procedure while determining compensation. The similar lands in the vicinity were sold for Rs.50,706/- and registered for Rs.12,500/-, Rs.14,500/- for evasion of stamp duty at the date of notification. The 1st respondent ought to have adopted the market value of those sale deeds for fixing value for the land acquired also. The claimants purchased the acquitted land for the propose of constructing a Jewelry Shop and a Star Hotel in it. But no interest paid by the 1st respondent from taking possession to till the date of deposit as per Sec.24 of the Tamil Nadu Highways Act, 2001. The 1st respondent has not considered the commercial demand of land and fixed the value of the property at his whims and fancies and without any basis. The lands in the area prior to notification under Sec. 15(2) of the Tamil

Nadu Highways Act 2001 were sold at the rate of Rs.50,706/- per sq.ft. Therefore it is prayed that this Court may be pleased to pass an award determining, (1) the value of the land at Rs.50,706/- per sq.ft.; (2) the value of the structures at Rs.10,00,000/-; (3) loss of business for 3 years during construction of flyover at the rate of Rs.3,00,000/- p.a., totaling Rs.9,00,000/-; (4) solatium at the rate of 100% on the market value of the properties acquired; (5) the additional amount calculated at the rate of 12% per annum on the market value of the properties acquired from 05.07.2017 to 31.07.2020; (6) with interest at the rate of 9% per annum for one year from 31.07.2020 and thereafter at the rate of 15% per annum from 01.08.2020 on the total compensation amount including solatium and additional amount and till the date of deposit of the amount into Court with costs.

6) The brief averments of counter filed by the 1st respondent and adopted by the 2nd respondent in all petitions (RTROP.No.215/2020, 216/2020 and 217/2020) which is summarised as follows:

The claim is false, frivolous and unsustainable in law and on facts. The lands acquired by the Land Acquisition Officer are not a commercial land on ground. They do not have any potential value for conversion. The merit and demerit of each sale have been decided after grouping the sales

in classification wise and data lands were selected in the same village properly with reference to sales statistics gathered from the Sub Registrar's Office, and fixed the land value which reflects the true market value of lands in the vicinity. The enquiry was conducted and statement recorded from the claimant at the time of award enquiry. Hence the rate fixed by the Land Acquisition Officer is correct and the contentions of the claim statement are inadmissible. In order to fix the market value of land under acquisition the sale statistics for the period of three year proceeding to the publication of notification were gathered. The value fixed by this respondent was correct and no need to revise the value of the acquisition land. The records of the Land Acquisition Officer were verified and the claimant was enquired before the award passed. The value fixed by the respondent is correct. The documents relied on by this respondent to fix the value of the land acquired by the respondent reflects the true market value of the lands of the claimant. The acquired lands are unused land and are very near to the data lands. It is false to allege that the land acquired is more suitable for commercial sites. The property in question have no potential value for commercial site or any commercial purpose. This respondent submits that notices contemplated under the Act were served properly. Sufficient opportunity was given to the claimant to put forth his case. The Land Acquisition Officer has also considered the

oral statement of the claimant and the documents filed before him. The value fixed by the Land Acquisition Officer is just, reasonable and according to canons of law. The claimant has not produced any documentary evidence to support the claim statement and his case. The claimant is put to strict proof of the allegations. The guideline value does not represent the market value of the property is not correct. Guideline value is only an official compilation of price of lands soled in the locality. Hence there is no need to enhance the land value and hence prayed to dismiss the claim with costs.

7) As the reference made in all the claim petitions, and the contesting parties in all the petitions are one and the same, a joint memo was filed to try all the petitions jointly. After perusal, the said memo was recorded and joint trial was ordered. The evidence was recorded in RTROP.No.215/2020 and the same was agreed to be taken as evidence in RTROP.No.216/2020 and 217/2020.

8) On the side of the Claimants, the Claimant Tr.Srinath has been examined as C.W.1, Tr.Selvam, Assistant, Sub-Registrar Office, Suramangalam has been examined as C.W.2 and Ex.C.1 to Ex.C.11 were marked. On the side of respondents, Tr.Jeyakumar, The Special Tahsildar (LA), Salem, has been examined as R.W.1 and Ex.R.1 to Ex.R.5 were marked.

9) **Point for determination:- Whether the Claimants in all petitions (RTROP.No.215/2020, 216/2020 and 217/2020) are entitled to enhanced compensation amount ?**

10) **POINT:-**

Heard both side. Perused the relevant records. The learned Counsel for the claimants in all petitions has contended that the property acquired lies in Ward-M, Block-17, T.S.No.69/2 (Old S.No.49/3B2), T.S.No.72/2 (Old S.No.50/5A1B1 part), and T.S.No.71/2 (Old S.No.50/5A1B1 part) of Meiyannur Village within the Salem City Municipal Corporation at Salem New Bus Stand to Five Roads Main Road. The 1st respondent acquired the claimants property in Award No.2/2019 on 31.07.2020 for the 2nd respondent and very low compensation amount at the rate of Rs.4,690/- per sq.ft. (i.e., Rs.50,481/- per sq. mtr.) were awarded for the site and a sum of Rs.3,731/- for the structures was paid on 07.08.2020 for T.S.No.69/2 (Old S.No.49/3B2), a sum of Rs.90,668/- for the structures was paid on 07.08.2020 for T.S.No.72/2 (Old S.No.50/5A1B1 part), and a sum of Rs.16,61,678.50 for the structures was paid on 07.08.2020 for T.S.No.71/2 (Old S.No.50/5A1B1 part), The claimants received the compensation amount under protest, and since they were not satisfied with the compensation amount, the matter was referred to this Court. The 1st respondent failed to

take into consideration the location of the land, the nature and character of the land, its major commercial value, and the commercial development activities in and around the lands which were acquired. While fixing the compensation, the data sale deeds relied upon by the 1st respondent for fixing the value of the acquired lands does not represent the market value of the lands sold under those documents. Actually, the data land were sold for very high prices and the documents were purposely undervalued for evasion of stamp duty and for minimizing the documentation expenses. The data sale lands lies far away from the land acquired and situated in the interior location. Further, the sale deeds of very low value have been selected for the purpose of determining the value of the acquired lands. Hence those documents are liable to be discarded. The acquired lands situate very nearer to the Salem New Bus Stand, Salem Five Roads Junction, big Malls, major Jewelry Shops, major Textile Malls, big Shopping Malls, Multi-specialty Hospitals and Star Hotels, and it is situated opposite to the Salem Castle Star Hotel. The existence of the KMB Marriage Hall and Salem Castle Star Hotel were not taken into consideration while fixing the compensation. In the acquired area there were full of commercial buildings of various types and it's a prime location of Salem Town. There is a possibility of converting it into multi-storied commercial building. The 1st respondent did not considered the matters

which are to be followed while determining the compensation as per Act. The market value of the land on the date of notification was Rs.50,706/- per sq.ft. But the 1st respondent purposely selected the data sale deeds far away from the claimants land for fixing lowest price. The claimants land is in very busy commercial area. The data sale deeds relied upon by the 1st respondent for fixing the value of the acquired lands does not represent the market value of the lands. As per the sale statistics taken by the 1st respondent within the radius of 1.6 km. shows that the sale value of the lands are more than Rs.50,000/- to 55,000/-. The serial No.83 clearly shows that the sale value of the land is Rs.50,706/-. The sale deeds of very low value have been selected for the purpose of determining the value of the acquired lands. The 1st respondent ought to have fixed the value at Rs.50,706/- per sq.ft. The 1st respondent did not consider the guideline value fixed by the Government from 01.04.2012 to 08.06.2017, which was Rs.7,000/- per sq.ft. and the market value is Rs.50,706/- per sq.ft. prior three years to the notification.

But the contention of the respondents is that the lands acquired are not the commercial land on ground. They do not have any potential value for conversion. The data lands were selected in the same village properly with reference to sales statistics gathered from the Sub Register's Office and fixed the land value, which reflects the true market value of lands in

the vicinity. Hence, the rate fixed by the Land Acquisition Officer is correct. The sales statistics for the period of three years preceding to the publication of notification were gathered in order to fix the market value of land. The documents relied on by this respondent to fix the value of the land acquired by the respondent reflects the true market value of the lands of the claimants. The acquired lands are very near to the data lands and they are unused lands. The property in question is not valuable and it is not suitable for commercial sites. The Land Acquisition Officer had given notices properly, sufficient opportunity was given to the claimants and considered their oral statement and documents filed before him. Hence, the award passed by the Land Acquisition Officer is correct and prayed to dismiss the petition.

11) On perusing records, it is seen that the compensation for lands acquired in these three cases was passed in Award No.2/2019, dated 31.07.2020 and the date of notification of acquiring the land is dated 05.07.2017. As per Section 26 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, the compensation has to be fixed for the acquired lands as per the average sale price for similar type of land situated in the nearest Village on nearest vicinity area should be calculated by taking the average of the sales deeds registered during the 3 years immediately preceding the date

of the Section 11 notification. Further, as per explanation 2, for determining the average sale price one-half of the total number of sale deeds or the agreements to sell in which the highest sale price has been mentioned shall be taken into account. Hence here in this case sale statistics to be taken for 3 years is from 05.07.2014 to 04.07.2017.

12) From Ex.R-1 it is found that for the purpose of determination of the market value of the land acquired, sales statistics of 380 sales for a period of 3 years (i.e., 05.07.2014 to 04.07.2017) were gathered at the Sub Register Officer, Suramangalam, prior to the date of 15(2) notification and out of 380 sales 233 sales falls outside of the vicinity area and it has been taken as outside the vicinity area and the remaining 147 sales only falls in the vicinity area. It is also stated that out of the 147 sales also all the sales with GLV as not similar with GLV of land acquired and hence they discarded and fixed the land value at Rs.50,485/- per sq.mtr. Further for structures in Survey No.M/17/69-2 (i.e.) cement stone, fence gate, part of the Advertisement Board at Rs.3731/-, for front side wall in Survey No.M/17/71-2 at Rs.2,22,857/-, and for front side shop building in Survey No.M/17/72-2 at Rs.90,668/-.

13) The contention of the claimants are that while deciding the nature and character of the lands under acquisition the 1st respondent has

failed to take into consideration of the locality of the acquired lands, its commercial value and also the fact that the acquired lands situated very near to Salem New Bus Stand, Salem Five Roads Junction, big Malls, major Jewellery shops, major Textile Malls, big Shopping Malls, Multi-specialty Hospitals and Hotels. Further the 1st respondent has also not taken into consideration that existing of Salem Castle Star Hotel and KMB Marriage Hall and the increase of potential value of the land in the area while fixing the compensation value.

14) R.W.1 in his evidence during cross examination has admitted as that,

"அதில் 4 ரோடிலிருந்து 5 ரோடு வரை காம்ப்ளக்ஸ், துணிக்கடை, நகைகடைகள், நட்சத்திர ஓட்டல்கள், மால்கள் உள்ள வணிக பகுதி என்றால் சரி."

"4 ரோடிலிருந்து 5 ரோடு பாலம் முடியும் வரை சேலத்தின் வர்த்தகப்பகுதியான பெரிய ஓட்டல்கள், பெரிய துணிக்கடைகள், நட்சத்திர அந்தஸ்த்துடைய ஓட்டல்கள், சினிமா தியேட்டர்கள், புதிய பேருந்து நிலையம் உள்ள முக்கியப்பகுதி என்றால் சரி."

Further R.W.1 in his cross examination has also admitted that as,

"Ex.R3 ல் விற்பனை புள்ளி விவரப்படி வரிசை எண்கள் 8 மற்றும் 9 ஆகியவற்றில் ரூ.12,264/-என சதுரடி 1க்கு கிரயம் செய்யப்பட்டுள்ளது என்றும். வரிசை எண் 10 ல் ரூ.11,505/- எனவும் வரிசை எண் 92 ல் ரூ.11,131/- எனவும் உள்ளது என்றால் சரி. இதே திட்டத்தில் தீர்வம் எண் 1/2021 ல் இழப்பீடு

நிர்ணயம் செய்ய எடுக்கப்பட்ட விற்பனை புள்ளி விவரப்பட்டியலில் வரிசை எண் 14 பத்திர எண் 2163, சதுரடி ரூ.8,221/- என்று கிரயம் செய்யப்பட்டுள்ளது என்றால் சரி. வரிசை எண் 42 ல் உள்ள கிரயப்பத்திரம் சதுரடி ரூ.17,100/- என்று கிரயம் செய்யப்பட்டுள்ளது என்றால் சரி. வரிசை எண் 48 ல் சதுரடி ரூ.8,591/- என்று விற்பனை செய்யப்பட்டுள்ளது என்றால் சரி. வரிசை எண் 80,81,82 ல் சதுரடி ரூ.32,933/- என்று விற்பனை செய்யப்பட்டுள்ளது என்றால் சரி. வரிசை எண் 80,81,82 ல் சதுரடி ரூ.32,933/- என்று விற்பனை செய்யப்பட்டுள்ளது என்றால் சரி. வரிசை எண் 83 ல் சதுரடி ரூ.50,706/- என்று விற்பனை செய்யப்பட்டுள்ளது என்றால் சரி. வரிசை எண் 157 ல் சதுரடி ரூ.14,750/- என்று விற்பனை செய்யப்பட்டுள்ளது என்றால் சரி. வரிசை எண் 187 ல் சதுரடி ரூ.16,088/- என்று விற்பனை செய்யப்பட்டுள்ளது என்றால் சரி. வரிசை எண் 191 ல் சதுரடி ரூ.28,833/- என்று விற்பனை செய்யப்பட்டுள்ளது என்றால் சரி."

"ஆர்ஜித நிலத்தின் அருகில் 18.02.2016 ம் தேதியில் ஏற்பட்ட கிரயப்பத்திர எண் 666/2016 கிரயப்பத்திரப்படி 46,400 சதுரடி நிலம் ஒரு சதுரடி ரூ.9,468/- வீதம் விற்பனை செய்யப்பட்டுள்ளது என்றால் சரி. இந்த கிரயப்பத்திர நிலம் டிவிஎஸ் நிறுவனம் போத்தீஸ் நிறுவனத்திற்கு கிரயம் செய்து கொடுத்த நிலம் என்றால் சரி. அதே வார்ட், அதே பிளாக்கில் 28.4.2017 ம் தேதியில் கிரயப்பத்திர எண் 794/2017 ன்படி 30,600 சதுரடி கொண்ட நிலம் ஒரு சதுரடி ரூ.9,850/-க்கு விற்பனை செய்யப்பட்டுள்ளது என்றும் அதுவும் டிவிஎஸ் நிறுவனம் எஸ்டி ரீடெய்ல்ஸ் நிறுவனத்திற்கு கிரயம் கொடுத்த நிலம் என்றால் சரி. மேற்படி கிரயப்பத்திரங்கள் இரண்டும் நில

ஆர்ஜித அறிவிப்பிற்கு முன்னர் 3 வருடத்திற்கு உட்பட்ட கிரயப்பத்திரங்கள் என்றால் சரி. 28.06.2017 ல் டிவிஎஸ் நிறுவனம் மங்கள் அண்ட் மங்கள் நிறுவனத்திற்கு 31,901 நிலம் ஒரு சதுரடி ரூ.11,750/- விற்பனை செய்யப்பட்டுள்ளது என்றால் சரி. இந்த ஆவணம் அறிவிப்பிற்கு பின்பு 6 மாதம் பின்னிட்டு ஏற்பட்ட கிரயப்பத்திரம் என்றால் சரி. அறிவிப்புக்கு முன்னர் ரூ.9,000/-க்கு விற்கிறது. அறிவிப்புக்கு பின்னிட்டு 6 மாதம் கழித்து ரூ.11,750/-க்கு கிரயம் ஏற்பட்டுள்ளதால் நிலத்தின் மதிப்பு அதிகரித்துள்ளது என்றால் சரிதான்."

From the above evidence, it is clear that the existence of the acquired lands in all the 3 petitions situated very nearer to the Salem New Bus Stand, Salem Five Roads Junction, big Malls, major Jewellery Shops, major Textile Malls, big Shopping Malls, Multi-specialty Hospitals and Hotels and is a commercial place. On perusing Ex.R-2, it is seen that the land in Ward-M, T.S.No.82/2 has sold for Rs.12,264/- per sq.ft. and it is also stated that it is within 1600 Radius and it is not taken for consideration for fixing the market value of the acquired land. The sale deeds with regard to the lands within the vicinity area of the acquired lands and within the preceding 3 years from the date of the notification as per Section 26 of the Land Acquisition Act has also been marked as Ex.C-1 to C-3. From Ex.C-1, it is seen that in T.S.No.82 has been purchased for Rs.12,264/- per sq.ft., as per Ex.C-2 in T.S.No.4/1, 4/2 has been

purchased for Rs.9,806/- per sq.ft., and as per Ex.C-3 in T.S.No.4/1, 4/2 has been purchased for Rs.11,750/- per sq.ft. Hence, from Ex.R-2 and Ex.C-1 to C-3, it is seen that within the vicinity area of the acquired lands the highest exemplary is Rs.12,264/-. As per Ex.R-3, the 1st respondent has stated that the above sale is not taken consideration since GLV is not similar with Acquired land.

15) In Civil Appeal No.4005 of 2012, arising out of SLP(C)No.26866 of 2009 in Mahrawal Khewaji Trust (Regd) Vs State of Punjab and Ors on 27.04.2012, our Hon'ble Apex Court has held as,

“It is clear that when there are several exemplars with reference to similar lands, it is the general rule that the highest of exemplars, if it is satisfied, that it is a bona fide transaction has to be considered and accepted. When the land is being compulsorily taken away from a person, he is entitled to the highest value which similar land in the locality is shown to have fetched in a bona fide transaction entered into between a willing purchaser and a willing seller near about the time of the acquisition. In our view, it seems to be only fair that where sale deeds pertaining to different transactions are relied on behalf of the Government, the transaction representing the highest value should be preferred to the rest unless there are strong circumstances justifying a different course. It is not desirable to take an average of various sale deeds placed before the authority/court for fixing fair compensation.”

Further R.W.1 has deposed in his evidence as,

"நில ஆர்ஜிதத்திற்கு 15(2) நோட்டீஸ் 28.6.2017 ல் கொடுக்கப்பட்டது என்றால் சரி. ஆனால் 8.6.2017 ல் அரசாங்கம் வழி காட்டி மதிப்பை 3 ல் 1 ஆக குறைத்துவிட்டது என்றால் சரி. 8.6.2017 க்கு முன்னர் ஒரு சதுரடி ரூ.7,000/- க்கு அரசு வழிகாட்டி மதிப்பு இருந்தது என்றும், நோட்டீஸ் பிறப்பிக்க வேண்டும் என்பதற்காக அரசு வழிகாட்டி மதிப்பை 3 ல் 1 பங்கு குறைத்துவிட்டது அதன்பிறகு அறிவிப்பு பிறப்பிக்கப்பட்டுள்ளது என்றால் சரியல்ல. ஆர்ஜிதம் செய்த நிலத்தை சுற்றி வியாபார நிறுவனங்கள் உள்ளது என்றால் சரி. ரூ.7,000/-க்கு இருந்த மதிப்பை குறைத்து ரூ.4,690/- ஆக மதிப்பு நிர்ணயம் செய்தது தவறு என்றால் சரியல்ல. தற்போது 6 மாதத்திற்கு முன்னர் மீண்டும் அரசு வழி காட்டி மதிப்பை பழையபடி 3 ல் 1 பங்கு என குறைத்ததை உயர்த்தி பழைய மதிப்பிற்கு கொண்டு வரப்பட்டுள்ளது என்றால் சரி."

So, from the above evidence it is clear that just 20 days before the 15(2) notice the GLV has been reduced from Rs.7,000/- to Rs.4,690/- and now before 6 months the GLV for the acquired lands has been raised. Further as per Section 26 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, this Court is of the opinion that the market value of the nearest land within the vicinity area has to be taken for consideration for fixation and not the guideline value of the land. Hence, the reason stated by the 1st

respondent for not taken into consideration of the sale of those lands mentioned in Ex.R-3 is found to be not acceptable. Likewise, on perusal of Ex.C-1, it is seen that land mentioned in it are not within the vicinity area with that of the acquired land in these petitions.

16) In 2013(4) CTC 228 in Ashrafi v. State of Haryana, our Hon'ble Apex Court has held as,

“Having discarded the belting system which has been resorted to, we are of the view that the compensation as awarded at the rate of Rs.235/- per sq.yard, has to be reassessed by applying the cumulative rate of increase at the rate of 12% per annum with the base year being the date of the Notification under Section 4 of the Land Acquisition Act, together with the statutory benefits, as indicated hereinabove. The stand taken on behalf of the State of Haryana, regarding the amount of escalation fixed at 12% being improper, does not Appeal to us having regard to the potentiality of the lands acquired and the sharp increase in the value of the lands in recent times.”

and in Appeal (civil) N0.7463 of 1997 in Krishi Utpadan Mandi Samiti Sahaswan ... vs Bipin Kumar & Anr., our Hon'ble Apex Court has held as,

“It has been held by this Court in the case of Jawajee Nagnatham vs. Revenue Divisional Officer, Adilabad, A.P. and Ors. [1994(4) SCC 595] that market value under Section 23 of

the Land Acquisition Act, 1894 cannot be fixed on the basis of a basic valuation register maintained by the registering authority for collection of stamp duty.”

“The increase of 15% given by the High Court cannot therefore be said to be unreasonable. Of course, the 15% increase has to be on Rs.15.40 which is the figure shown in the sale deed. It cannot be on Rs.120 as wrongly taken by the High Court. The High Court also erred in considering only three years increase whereas in fact there is four years difference between the respondent's sale deed and the acquisition proceedings.”

Further, in 2001(3) CTC 368 in *State of Haryana v. Ram Singh*, our Hon'ble Apex Court has held as,

“We are left with the question whether the High Court could have granted a further amount on account of potential value over and above the market value by way of compensation. Under Section 23(1) of the Act, in determining the amount of compensation to be awarded for land acquired under the Act, the Court shall take into consideration the market value of the land at the date of publication of the notification under Section 4, sub-section (1). The statute does not allow for payment of any further amount on account of 'potential value' over and above the market value. Besides, 'market value' means exactly what it says *viz.* the price which the asset would or could be expected to fetch in the open market. Where a property has the potentiality of more profitable use, it will command a

better price than property without such potential. In other words, potentiality forms part of the market value and may be a factor to be taken into account for the purpose of determining the market value. But once the market value is determined, there is no question of awarding any further amount in addition thereto by reason of any further potential. The decision relied upon by the claimants do not hold to the contrary.”

Here in these petitions 15(2) notification is dated 05.07.2017 and the lands were acquired on 31.07.2020 and the lands acquired are commercial lands. Hence this Court is of the opinion that the potential value of the land can be fixed at Rs.12% for 3 years for the market value of land fixed as per Section 26 of the Land Acquisition Act.

17) Next, the higher exemplar in the vicinity area of the acquired lands in these petitions is Rs.12,264/- per sq.foot (i.e.) Rs.1,32,010/- per sq.metre as per Ex.R-2 and Exhibit Ex.C-1 to C-3. For fixing the market value of the lands since it has already been decided that the land acquired had potential value in future as per the above rulings Rs.12% of the additional amount to be added to the highest sale price of Rs.1,32,010/- per sq.mtr. for 3 years (i.e.) $Rs.1,32,010 \times 12\% \times 3 = Rs.47,524/-$ and therefore the market price for the acquired lands in these petitions are fixed at Rs.1,79,534/- per sq.mtr.

18) Further the contention of the claimants in RTROP.No.215/2020 is that present value of the structure in the acquired land is Rs.1,00,000/-, but the 1st respondent fixed the value at Rs.3,731/- only and in RTROP.No.216/2020 the claimants have stated that present value of the structure is 3 lakh rupees, but the 1st respondent fixed the value at Rs.90,668/- and in RTROP.No.217/2020 the claimants have stated that the present value of the structure in the acquired land is 10 lakh rupees, but the 1st respondent has fixed the value as Rs.2,22,857/- and the claimants in all the petitions have also stated that the 1st respondent acquired the front portion of the compound wall and the rear portion was severed, and in addition in RTROP.No.215/2020 it has been put forth by the claimants that advertisement board in the acquired land has been removed while the acquisition is made. Further contention of the claimants are that due to acquisition the business of the claimants were affected and got business loss and the 1st respondent also ought to have pay loss of business for 3 years during construction of flyover at the rate of Rs.1,00,000/- p.a., totaling Rs.3,00,000/-. On perusing the award, it is seen that for the value of the cement stone, front gate and for half of the advertisement board in the acquired land in RTROP.No.215/2020 Rs.3,731/- has been given as compensation, and in RTROP.No. 216/2020

for the front side shop building Rs.90,668/- has been given as compensation, and in RTROP.No.217/2020 for the front side wall Rs.2,22,857/- has been given as compensation. But no evidence has been produced to show that the above structure will fetch more amount i.e., Rs.1,00,000/-, Rs.3,00,000/- and RS.10,00,000/- in the RTROP.Nos.215/2020, 216/2020 and 217/2020 respectively. Further, the contention of the 1st respondent is that the advertisement board was asked to be removed and the claimants themselves have removed it. Hence, this Court is not inclined to give additional amount for value of structure in all the RTROPs.

19) However, this Court accepts the contention of the claimants that during the construction of the flyover the claimants would have suffered business loss for which the Court is inclined to grant Rs.50,000/- for 2 years to the claimants in each petition, since R.W.1 himself admitted in his cross examination as,

"கோருநர்களுக்கு ஆர்ஜித நிலத்தில் கோயமுத்தூர் ஜுவல்லர்ஸ் என்ற நகைக்கடை ஷோரூம் இருந்தது என்றால் சரி. அதற்கடுத்த நிலத்தில் ஒரு அடுக்குமாடி வர்த்தக கட்டிடம் இருந்தது என்றால் சரி. அடுத்து இருந்த நிலத்தில் ஒரு விளம்பர போர்டு இருந்தது என்றால் சரி."

Hence this Court inclined to hold that Rs.50,000/- for 2 years could be granted for loss of business, while the flyover is constructed and

alteration is made in the remained structure.

20) Section 30(1) explicitly states that the Collector after determined the total compensation must impose a solarium amount equivalent to 100% of the compensation to arrive at the final award. Further in AIR 2001 SUPREME COURT 3516, 2001 (3) LRI 136 IN Sunder Vs Union of India, it has been held as,

“The proviso to Section 34 of the Act makes the position further clear. The provision says that “if such compensation' is not paid within one year from the date of taking possession of the land, interest shall stand escalated to 15% per annum from the date of expiry of the said period of one year “on the amount of compensation or part thereof which has not been paid or deposited before the date of such expiry”. It is inconceivable that the solatium amount would attract only the escalated rate of interest from the expiry of one year and that there would be no interest on solatium during the preceding period.⁸ What the legislature intended was to make the aggregate amount under Section 23 of the Act to reach the hands of the person as and when the award is passed, at any rate as soon as he is deprived of the possession of his land. Any delay in making payment of the said sum should enable the party to have interest on the said sum until he receives the payment. Splitting up the compensation into different components for the purpose of payment of interest under Section 34 was not in the contemplation of the legislature when that section was framed

or enacted.”

“...The interest awardable under Section 28 therefore would include within its ambit both the market value and the statutory solatium. It would be thus evident that the provisions of Section 28 in terms warrant and authorise the grant of interest on solatium as well.” In our view the aforesaid statement of law is in accord with the sound principle of interpretation. Hence the person entitled to the compensation awarded is also entitled to get interest on the aggregate amount including solatium.”

Hence, from the above ruling, it is clear that the claimants are also entitled to 100% solatium from the date of notification under Section 15(2) of Land Acquisition Act amount and an additional amount at 12% from the date of notification till the passing of the award or date of taking possession of land. Therefore, for the above stated reason, this Court is of the view that the claimants in RTROP.Nos.215/2020, 216/2020 and 217/2020 are held entitled to the compensation amount at the rate of Rs.1,79,534/- per square metre for the acquired land in M/17/69-2 measuring 27.5 sq.mtrs., in M/17/72-2 measuring 4.0 sq.mtrs., and in M/17/71-2 measuring 28.5 sq.mtrs. respectively in Meyyanur Village, Salem West Taluk, and Rs.50,000/- per annum for 2 years for the loss of business. Further, this Court is of the view that the claimants in all

petitions are also entitled to 100% solatium from the date of notification under Section 15(2) of Land Acquisition Act amount and an additional amount at 12% from the date of notification till the passing of the award or date of taking possession of land and interest at the rate of 9% per annum on the excess compensation amount as well as the solatium amount from the date of taking possession to the date of payment if made within one year and interest at the rate of 15% on the unpaid excess part of the excess compensation and solatium amount from the date of expiry of one year till the date of payments and costs and this point is answered accordingly.

21) R.T.R.O.P.No. 215/2020:

In the result, the Claim is allowed and the Claimants are held entitled to the compensation amount at the rate of Rs.1,79,534/- per square metre for the acquired land in M/17/69-2 measuring 27.5 sq.mtrs. in Meyyanur Village, Salem West Taluk and Rs.50,000/- per annum for 2 years for the loss of business. The Respondents are directed to deposit the enhanced compensation amount with 100% solatium from the date of Notification under section 15(2) of the Land Acquisition Act and an additional amount at 12% from the date of Notification till the passing of the award or date of taking possession of land and interest at the rate of 9% per annum on the excess compensation amount as well as the

solatium amount from the date of taking possession to the date of payment if made within one year and interest at the rate of 15% on the unpaid excess part of the excess compensation and solatium amount from the date of expiry of one year till the date of payments and costs.

22) R.T.R.O.P.No. 216/2020:

In the result, the Claim is allowed and the Claimants are held entitled to the compensation amount at the rate of Rs.1,79,534/- per square metre for the acquired land in M/17/72-2 measuring 4.0 square metres in Meyyanur Village, Salem West Taluk and Rs.50,000/- per annum for 2 years for the loss of business. The Respondents are directed to deposit the enhanced compensation amount with 100% solatium from the date of Notification under section 15(2) of the Land Acquisition Act and an additional amount at 12% from the date of Notification till the passing of the award or date of taking possession of land and interest at the rate of 9% per annum on the excess compensation amount as well as the solatium amount from the date of taking possession to the date of payment if made within one year and interest at the rate of 15% on the unpaid excess part of the excess compensation and solatium amount from the date of expiry of one year till the date of payments and costs.

23) R.T.R.O.P.No. 217/2020:

In the result, the Claim is allowed and the Claimants are held

entitled to the compensation amount at the rate of Rs.1,79,534/- per square metre for the acquired land in M/17/71-2 measuring 28.5 square metres in Meyyanur Village, Salem West Taluk and Rs.50,000/- per annum for 2 years for the loss of business. The Respondents are directed to deposit the enhanced compensation amount with 100% solatium from the date of Notification under section 15(2) of the Land Acquisition Act and an additional amount at 12% from the date of Notification till the passing of the award or date of taking possession of land and interest at the rate of 9% per annum on the excess compensation amount as well as the solatium amount from the date of taking possession to the date of payment if made within one year and interest at the rate of 15% on the unpaid excess part of the excess compensation and solatium amount from the date of expiry of one year till the date of payments and costs.

Dictated to Stenographer directly and computerized by her, corrected and pronounced by me in the Open Court, this the 30th day of March, 2026.

Sd/- S. Sumathy,
Principal District Judge,
Salem.

Annexure:-

Claimants' side witnesses:

C.W.1 Tr. Srinath

C.W.2 Tr. Selvam, Assistant, Sub Registrar Office,
Suramangalam.

Claimants' side Exhibits:

Ex.C.1	21.11.2014	Sale Deed in respect of T.S.No.82 of the same area	..on line certified copy
Ex.C.2	18.03.2016	Sale Deed in respect of T.S.No.4/1 & 4/2 of the same area	..on line certified copy
Ex.C.3	18.03.2016	Sale Deed in respect of T.S.No.4/1 & 4/2 of the same area	..on line certified copy
Ex.C.4	03.03.2019	Guideline value and property value (from 01.04.2012 to 08.06.2017)	..downloaded copy
Ex.C.5	03.03.2019	Guideline value and property value (from 09.06.2017 to 03.03.2019)	..downloaded copy
Ex.C.6	13.12.2023	Authorization letter issued to CW.2 by the Sub Registrar, Suramangalam.	..original
Ex.C.7	16.11.2023	Guideline value and property value (from 01.04.2012 to 08.06.2017)	..downloaded copy
Ex.C.8	16.11.2023	Guideline value and property value (from 09.06.2017 to 31.03.2023)	..downloaded copy
Ex.C.9	14.12.2023	Guideline value and property value (from 01.04.2023 to 14.12.2023)	..downloaded copy
Ex.C.10	13.12.2023	Authorization letter issued to CW.2 by the Sub Registrar, Suramangalam.	..original
Ex.C.11	13.10.2018	Details of the report of Sale for 3 years from from 27.5.2014 to 26.05.2017	..certified copy

Respondents' side witnesses:

R.W.1 Tr. Jeyakumar, The Special Tahsildar (LA),
Salem.

Respondents' side documents:

- Ex.R.1 31.07.2020 Proceedings of Award
No.2/2019 ..true copy
- Ex.R.2 20.03.2024 Details of the report of Sale
for 3 years from from
05.07.2014 to 04.07.2017 ..true copy
- Ex.R.3 20.03.2024 Details of the report of Sale
for 3 years from from
05.07.2014 to 04.07.2017
..true copy
- Ex.R.4 27.09.2021 Combined map of
Azhagapuram and Meiyannur
Village ..true copy
- Ex.R.5 20.03.2024 Market value guidelines
from 09.06.2017 by the Sub
Registrar, Suramangalam. ..true copy

Sd/- S. Sumathy,
Principal District Judge,
Salem.

/TRUE COPY/