In the Court of the Principal District Judge, Thoothukudi.

Present : Tmt.S.Subadevi, B.A., B.L., M.B.A.,
Principal District Judge, Thoothukudi.

Friday, the 17th day of July 2026

L.A.O.P No.58/2024

[CNR No.TNTT01-003005-2024]

1) Thamira Green Farms Private Limited,
Door No.1824/4 Gowtham Apartments,
First Floor, 18th Main Road,
Anna Nagar West,
Chennai – 600 040.

2) S.Muthukumar, S/o.Sundaram, 7/A, Sri Balaji Nagar, Thundalam, Chennai – 77.

3) Tax Recovery Officer, Central 2 Chennai,
Income Tax Department, Room No.119, 1st Floor,
Investigation Building, No.46 (Old No.108),
Mahatma Gandhi Road,
Chennai – 600 034. … Claimants

// versus //

The District Collector, Collectorate,
Thoothukudi,
Thoothukudi District. ... Referring Officer

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This petition has come up before this court on 05.06.2026 for final hearing in the presence of Thiru.L.Chrispin Koildass, Advocate for the 2nd claimant, the reference against the 1st claimant was closed on 06.08.2025 and the 3rd claimant was called absent and set exparte on 06.11.2024, Thiru.J.Francis Jude Vinoth, Additional Government Pleader (LAOP) for the Referring Officer, upon hearing both side arguments and on perusing the records available and having stood over for consideration till this day, this Court delivers the following:

ORDER

1) The Referring Officer has made this reference under Sections 26, 27, 30, 64 and 77(2) of RFCTLARR Act, 2013 to disburse the compensation amount of Rs.9,48,963/- to the land owners / interested parties of the land measuring 0.89.00 Hec., in S. No.601/3 of Madhavankurichi Village, Tiruchendur Taluk, which was acquired for establishing a new launch station for SSLV in favour of ISRO/Department of Space in Madhavankurichi Village, Tiruchendur Taluk and Padukkapathu, Pallakurichi villages of Sathankulam Taluk.

2) **The facts leading to the filing of present L.A.O.P are as follows :**

As per Madhavankurichi Village records, S.No.601/3 was classified as Punja land and its total extent is 0.89.00 Hec. As per patta No.1491 pertaining to S.No.601/3, the land in S.No.601/3 was registered in the name of (1) Thamira Green Farms Private limited (2) Rathinaprakash S/o. Natarajan Nadar (3) Nagaveni W/o. Venkatraman Pothi (4) Muntukumar S/o. Sundaram. The entire extent of 0.89.00 Hec in the aforesaid Survey Number has been acquired.

On 16.10.2023, the Land Acquisition Officer issued notice to the land owners to appear for the Award Enquiry. Among the land owners, the officials of M/s. Thamira Green Farms Private Limited have received the notice sent through the registered post and gave an acknowledgment. Notice was sent to the pattadars, namely, Rathinaprakash S/o.Natarajan and Nagaveni W/o.Venkatraman Pothi through the VAO, Madhavankurichi Village and it has been reported that the aforesaid persons are not residing in the village. The pattadar Muthukumar S/o. Sundaram appeared for the Award Enquiry and submitted relevant documents.

On verification of the records submitted by the land owner Muthukumar, on 14.10.2016 the said Muthukumar has purchased acre 1 cent 09 in S.No.601/3 from Nagaveni vide document No1509/2016. On 19.01.2017 the said Muthukumar has purchased and extent of acre 1 cent 10 in S.No.601/3 from Rathinaprakash vide document No.33/2017. Thereafter, attachment was made by the Income Tax Recovery Officer vide document No.176/2017 dated 16.06.2017.

The pattadar, namely, Muthukumar has submitted the copies of documents relating to the land. He stated that the compensation amount fixed by the Government for the acquired land is very meagre and that in the said village, the maximum sale price is Rs.30,00,000/- per acre. However, he has not submitted any document in this regard. Further, the said Muthukumar requested to pay the compensation amount due to him and he would receive the same with objection.

The Income Tax Department Office, Chennai in its Letter No. ITBA/COMF/17/2022-23/1048977875(1) dated 20.01.2023, has requested that since the Thamira Limited company has not paid the outstanding income tax dues, the compensation amount due to the said company for the land in S.No.601/3 is to be remitted to the Income Tax Department.

Regarding the letter received from the Income Tax Department, the Additional Government Pleader (LAOP) gave a legal opinion that, compensation can be determined only if the owners of the acquired lands prove their ownership before the Court by producing appropriate documents and that there is no scope for disbursement of compensation without conclusively determining the ownership and the details of the extent of land and that therefore, it is the legal procedure to deposit the compensation amount in the Court, after which, the compensation is disbursed to the competent persons through the Court and advised the Land Acquisition Officer to deposit the compensation amount in the Court and intimate the same to both the land owners and the Income Tax Department. Hence, the Referring Officer has referred this matter to this Court under Section 77(2) of RFCTLARR Act, 2013 by depositing the compensation amount of Rs.9,48,963/- in respect of the acquired land measuring 0.89.00 Hec in S.No.601/3 of Madhavankurichi Village, Tiruchendur Taluk.

3) After receipt of the reference, this Court issued notice to the Referring Officer as well as the Claimants. The notice sent to the Referring Officer and 3rd claimant was served. However, the 3rd claimant was called absent and set exparte. The notice sent to the 1st claimant was returned as 'No such Office' and as there is no other address is available, the reference against the 1st claimant was closed. Though the reference against the 2nd claimant was closed as the notice sent to the 2nd claimant was returned as "insufficient address", later on, this case was reopened against the 2nd claimant as per the order in I.A. No.21/2025 dated 25.09.2025. After that, the 2nd claimant has appeared through his Advocate and filed claim statement.

4) **<u>The brief averments of claim statement of the 2nd Claimant are as follows:</u>**

An extent of 0.89.00 hectares of land in S.No. 601/3 of Madhavankurichi Village was acquired for ISRO/Department of Space for establishing a new

SSLV launch station at Kulasekarapattinam. The said land belonged to Nataraja Nadar, Annapazham Ammal and subsequently they executed a registered sale deed vide document No.954/2007 dated 01.06.2007 in favour of Chennai Thamira Green Farms Private Limited and handed over the possession of the property. Patta was also issued in the name of the said Company, the 1st claimant herein. On 22.02.2016, the said company has executed a sale deed vide document No.265/2016 in respect of 0.44.53 Hec out of 0.89.00 Hec in favour of Rathina Prakash and handed over the possession of the property. Therefore, in the patta No.1491, his name was mentioned in Sl.No.2. On 22.02.2016 itself, a sale deed vide document No.266/2016 was executed in favour of Nagaveni for valid consideration vide document No.266/2016 in respect of an extent of 0.44.12 Hec in S.No.601/3 and handed over the possession of the property. Hence, in patta No.1491, her name was shown in Sl.No.3. On 16.10.2016, the said Nagaveni received valid consideration from the 2nd claimant and executed a registered sale deed document No.1509/2016 dated 16.10.2016 and handed over the possession of the property.

Likewise, On 19.01.2017, Rathina Prakash has received valid sale consideration from the 2nd claimant and executed a registered sale deed document No.33/2017 in respect of 0.44.53 Hec in S.No.601/3. After the said two sale deeds, the 2nd claimant got title over the entire extent of 0.86.00 in

S.No.601/3 and enjoyed the property. The 2nd claimant has been residing temporarily in Chennai and doing business. He was unaware to include his name in patta No.1491. Hence, the 2nd claimant did not file a separate petition to include his name in the patta after filing the petition along with the sale deed. Since the Land Acquisition Officer took the Encumbrance Certificate and knew the fact that the land belongs to the 2nd claimant and therefore, the Land Acquisition Officer did not disburse the compensation amount to the persons found in Patta No.1491. Further, in the patta, which is a Revenue record, since the name of this petitioner was not found, the compensation was not disbursed to this claimant by accepting the claim of the 2nd claimant. Though the Land Acquisition Officer knew through the document of Registration Department that the acquired land belongs to the 2nd claimant, without disabusing the compensation amount and deposited the same before the Court and the same is not acceptable. The 2nd claimant has purchased the property for valid consideration prior to June 2017. The 1st claimant after receiving the valid consideration and executed a sale deed during February 2016, the 1st claimant's right had already been lost on the said date. Therefore, neither the 1st claimant nor the men under him have no locus-standi to claim right over the compensation amount. The 2nd claimant reserves the right to claim enhanced compensation after establishing his right over S.No.601/3. The petitioner has produced the encumbrance certificate of the said S.No.601/3 for the period from 01.01.2000 to 16.10.2025. Hence, the 2nd claimant prays to pass order to disburse the compensation amount for the land S.No.601/3 to him. If the 1st claimant or any person proves with sufficient documents that the said land belongs to them, the 2nd claimant is ready to repay the compensation amount as the Court ordered. Hence, an order is to be passed directing to disburse the compensation amount deposited before the Court for the acquired land in S.No.601/3 measuring 0.86.00 Hec to the 2nd claimant.

5) The learned Additional Government Pleader (LAOP) has made endorsement in the notes paper itself that, he has no counter.

6) Therefore, enquiry was conducted and the 2nd claimant was examined as C.W.1 and through him Ex.C1 to Ex.C3 were marked.

7) **The point for determination in this petition is :**

Whether the claim of the 2nd Claimant can be accepted and the Award amount is to be ordered to be paid to the 2nd Claimant or not?

8) **On Point :**

The Referring Officer has referred this case to disburse the compensation amount of Rs.9,48,963/- to the land owners of the acquired land measuring

0.89.00 Hec., in S. No.601/3 of Madhavankurichi Village, Tiruchendur Taluk for the project of SSLV in favour of ISRO / Department of Space in Madhavankurichi Village of Tiruchendur Taluk and Padukkapathu, Pallakurichi Villages of Sathankulam Taluk.

9) The learned counsel for the 2nd claimant has argued that, the Land Acquisition Officer has acquired an extent of 0.89.00 Hec in S.No.601/3 of Madhavankurichi village, Tiruchendur Taluk for SSLV in favour of ISRO / Department of Space in Madhavankurichi Village of Tiruchendur Taluk and Padukkapathu, Pallakurichi Villages of Sathankulam Taluk. The said land belongs to the 2nd claimant through registered sale deeds Ex.C1 and Ex.C2 and the same has been reflected in Ex.C3 Encumbrance Certificate. The Land Acquisition Officer failed to consider the sale deeds and encumbrance certificate, deposited the compensation amount before the Court. The 2nd claimant being the owner of the acquired land is entitled to receive the compensation amount. Therefore, the compensation amount kept in the Court deposit is to be disbursed to the 2nd claimant.

10) On the other hand, the learned Additional Government Pleader (LAOP) argued that, the 2nd claimant did not produce sufficient documents before the Land Acquisition Officer to prove his title over the acquired land. Hence, the Land Acquisition Officer has referred the matter to this Court and

deposited the compensation amount before the Court to disburse the same to the competent person.

11) A careful perusal of records and hearing of the arguments of both side, the 2nd claimant has purchased an extent of acre 1 cent 09 out of the total extent of 0.89.00 Hec (acre 2 cent 19) in S.No.601/3 from Nagaveni through Ex.C1 sale deed and an extent of acre 1 cent 10 out of out of 0.89.00 Hec in S.No.601/3 from Rathina Prakash through Ex.C2 sale deed. Thus, the 2nd claimant has purchased the entire extent in S.No.601/3 i.e. acre 2 cent 19. Ex.C3 Encumbrance Certificate is also buttressed the same.

12) For the reference made against the 1st claimant, notice has been issued to the address available in the record of this Court. The notice sent to the 1st claimant has been returned as "No such Office". Hence, the reference against the 1st claimant was closed. The 3rd claimant has received the notice and appeared through his counsel and not come forwarded to file claim statement. Hence, he remained exparte. So this Court has to decide only for the 2nd claimant compensation.

13) During cross-examination C.W.1 has deposed that he has been residing at Chennai and therefore, he did not attempt to mutate patta in his name. During the Award Enquiry he was directed to produce patta and the same has not been produced by the 2nd claimant. As per Ex.C3, from the date of purchase till

the acquirement of land, the 2nd claimant was enjoying the property. Further, the 2nd claimant in his cross examination has deposed as follows :-

> **பணம் கொடுக்கும் பட்சத்தில் மூன்றாவது நபர் யாரேனும் இந்த சொத்து சம்பந்தமாக உரிமை கோரினால் இழப்பீட்டுத் தொகையை நீதிமன்றத்தில் வைப்பீடு செய்ய எனக்கு ஆட்சேபணை உண்டா என்றால் இல்லை.**

From the evidence it is clear that, if the compensation amount for the acquired land is given to the 2nd claimant, he has no objection to deposit the compensation amount before the Court if any third party claims right over the property.

14) Considering the above, the 2nd claimant proved that he is the owner of the acquired land to an extent of 0.89.00 Hec., in S.No.601/3 of Madhavankurichi Village, Tiruchendur Taluk. Hence, the 2nd claimant being the owner of the acquired land is entitled to the compensation amount deposited by the Referring Officer before the Court. The point is answered accordingly.

In the result, the claim made by the 2nd claimant is allowed and the compensation of award amount of Rs.9,48,963/- for the acquired land to an extent of 0.89.00 Hec in S.No.601/3 deposited by the Referring Officer with subsequent interest which will be accrued from the Bank Deposit is ordered to be paid to the 2nd claimant and the reference is closed accordingly.

Dictated by me to the stenographer, directly typed by her into computer, corrected and pronounced by me in the open court, on this the 17th day of July 2026.

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Principal District Judge,
Thoothukudi.

Witness examined on the side of Claimants :

C.W.1 -- Thiru.Muthukumar, 2nd claimant

Exhibits marked on the side of Claimants :

Ex.C1	14.10.16	--	Xerox copy of sale deed executed by Nagaveni in favour of Muthukumar vide document No.1509/2016 (verified with original)
Ex.C2	19.01.17	--	Xerox copy of sale deed executed by Rathina Prakash in favour of Muthukumar vide document No.33/2017 (verified with original)
Ex.C3	--	--	Encumbrance Certificate

Witness examined and document marked on the side of Referring officer :

Nil

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Principal District Judge,
Thoothukudi.

Principal District Court, Thoothukudi

L.A.O.P No.58/2024,

Draft / Fair Order,

Dated : 17.06.2026.