In the court of the Special Subordinate Judge for L.A.O.P Cases, Vellore. Vellore District.

PRESENT: Tmt.S.Mohanakumari, M.A., B.L.,
Special Sub Judge, Vellore.
Friday, the 29th day of November 2013

LAND ACQUISITION O.P. NOS. 35/2013, 19/2013, 22/2013, 23/2013, 24/2013, 25/2013, 27/2013, 29/2013, 30/2013 32/2013, 33/2013, 34/2013, 36/2013, 37/2013, 38/2013, 39/2013 , 40/2013, 42/2013, 43/2013, 45/2013, 46/2013, 47/2013, 49/2013, 52/2013,, 54/203, 55/2013, 53/2013

L.A.O.P. 35/2013:

1. The Land Acquisition Officer and
   Special Tahsildar(L.A.)
   Mordhana Reservoir Project Unit I,
   Gudiyatham.
2. The Executive Engineer , P.W.D.
   Mordhana Project Division, Sethuvandai,
   Gudiyattam

... Referring Officers.

-vs-

Baskaran ... Claimant

L.A.O.P. 19/2013:

1. The Land Acquisition Officer and
   Special Tahsildar(L.A.)
   Mordhana Reservoir Project Unit -I
   Gudiyatham.
2. The Executive Engineer , P.W.D.
   Mordhana Project Division, Sethuvandai,
   Gudiyattam

... Referring Officers.

-vs-

Ramesh ... Claimant

L.A.O.P. 22/2013:

1. The Land Acquisition Officer and
   Special Tahsildar(L.A.)
   Mordhana Reservoir Project Uniit - I,
   Gudiyatham.
2. The Executive Engineer , P.W.D.
   Mordhana Project Division, Sethuvandai,
   Gudiyattam

... Referring Officers.

-vs-

Jayanthi ... Claimant

L.A.O.P. 23/2013:

1. The Land Acquisition Officer and
   Special Tahsildar(L.A.)
   Mordhana Reservoir Project Unit - I
   Gudiyatham.
2. The Executive Engineer , P.W.D.
   Mordhana Project Division, Sethuvandai,
   Gudiyattam

... Referring Officers.

-vs-

Kumudadevan ... Claimant

L.A.O.P. 24/2013:

1. The Land Acquisition Officer and
   Special Tahsildar(L.A.)
   Mordhana Reservoir Project Unit - I,
   Gudiyatham.
2. The Executive Engineer , P.W.D.
   Mordhana Project Division, Sethuvandai,
   Gudiyattam

... Referring Officers.

-vs-

Govindasamy ... Claimant.

L.A.O.P. 25/2013:

1. The Land Acquisition Officer and
   Special Tahsildar(L.A.)
   Mordhana Reservoir Project Unit - I,
   Gudiyatham.
2. The Executive Engineer , P.W.D.
   Mordhana Project Division, Sethuvandai,
   Gudiyattam

... Referring Officers.

-vs-

Velan ... Claimant

L.A.O.P. 27/2013:

1. The Land Acquisition Officer and
   Special Tahsildar(L.A.)
   Mordhana Reservoir Project Unit - I,
   Gudiyatham.
2. The Executive Engineer , P.W.D.
   Mordhana Project Division, Sethuvandai,
   Gudiyattam

... Referring Officers.

-vs-

Dhanammal ... Claimant

L.A.O.P. 29/2013:

1. The Land Acquisition Officer and
   Special Tahsildar(L.A.)
   Mordhana Reservoir Project Unit - I
   Gudiyatham.
2. The Executive Engineer , P.W.D.
   Mordhana Project Division, Sethuvandai,
   Gudiyattam

... Referring Officers.

-vs-

Navaneetham ... Claimant

L.A.O.P. 30/2013:

1. The Land Acquisition Officer and
   Special Tahsildar(L.A.)
   Mordhana Reservoir Project Unit - I
   Gudiyatham.
2. The Executive Engineer , P.W.D.
   Mordhana Project Division, Sethuvandai,
   Gudiyattam

... Referring Officers.

-vs-

Rose ... Claimant.

L.A.O.P. 32/2013:

1. The Land Acquisition Officer and
   Special Tahsildar(L.A.)

Mordhana Reservoir Project Unit - I,
Gudiyatham.
2. The Executive Engineer , P.W.D.
Mordhana Project Division, Sethuvandai,
Gudiyattam

... Referring Officers.

-vs-

Chinnasamy ... Claimant

L.A.O.P. 33/2013:

1. The Land Acquisition Officer and
Special Tahsildar(L.A.)
Mordhana Reservoir Project Unit - I,
Gudiyatham.
2. The Executive Engineer , P.W.D.
Mordhana Project Division, Sethuvandai,
Gudiyattam

... Referring Officers.

-vs-

Kusalaveni

... Claimant

L.A.O.P. 34/2013:

1. The Land Acquisition Officer and
Special Tahsildar(L.A.)
Mordhana Reservoir Project Unit -I,
Gudiyatham.
2. The Executive Engineer , P.W.D.
Mordhana Project Division, Sethuvandai,
Gudiyattam

... Referring Officers.

-vs-

Chandrammal ... Claimant

L.A.O.P. 36/2013:

1. The Land Acquisition Officer and
Special Tahsildar(L.A.)
Mordhana Reservoir Project Unit - I ,
Gudiyatham.
2. The Executive Engineer , P.W.D.

Mordhana Project Division, Sethuvandai,
Gudiyattam

... Referring Officers.

-vs-

Ragunathan ... Claimant

L.A.O.P. 37/2013:

1. The Land Acquisition Officer and
Special Tahsildar(L.A.)
Mordhana Reservoir Project Unit - I,
Gudiyatham.
2. The Executive Engineer , P.W.D.
Mordhana Project Division, Sethuvandai,
Gudiyattam

... Referring Officers.

-vs-

Sivagami ... Claimants.

L.A.O.P. 38/2013:

1. The Land Acquisition Officer and
Special Tahsildar(L.A.)
Mordhana Reservoir Project Unit - I,
Gudiyatham.
2. The Executive Engineer , P.W.D.
Mordhana Project Division, Sethuvandai,
Gudiyattam

... Referring Officers.

-vs-

Murugesan ... Claimant

L.A.O.P. 39/2013:

1. The Land Acquisition Officer and
Special Tahsildar(L.A.)
Mordhana Reservoir Project Unit -I
Gudiyatham.
2. The Executive Engineer , P.W.D.
Mordhana Project Division, Sethuvandai,
Gudiyattam

... Referring Officers.

-vs-

Kannan ... Claimant.

L.A.O.P. 40/2013:

1. The Land Acquisition Officer and
   Special Tahsildar(L.A.)
   Mordhana Reservoir Project Unit - I
   Gudiyatham.
2. The Executive Engineer , P.W.D.
   Mordhana Project Division, Sethuvandai,
   Gudiyattam

... Referring Officers.

-vs-

Murugesan ... Claimant

L.A.O.P. 42/2013:

1. The Land Acquisition Officer and
   Special Tahsildar(L.A.)
   Mordhana Reservoir Project Unit -I,
   Gudiyatham.
2. The Executive Engineer , P.W.D.
   Mordhana Project Division, Sethuvandai,
   Gudiyattam

... Referring Officers.

-vs-

Duraisamy ... Claimant

L.A.O.P. 43/2013:

1. The Land Acquisition Officer and
   Special Tahsildar(L.A.)
   Mordhana Reservoir Project Unit -I
   Gudiyatham.
2. The Executive Engineer , P.W.D.
   Mordhana Project Division, Sethuvandai,
   Gudiyattam

... Referring Officers.

-vs-

Arjunan ... Claimant

L.A.O.P. 45/2013:

1. The Land Acquisition Officer and
   Special Tahsildar(L.A.)
   Mordhana Reservoir Project Unit -I,
   Gudiyatham.
2. The Executive Engineer , P.W.D.
   Mordhana Project Division, Sethuvandai,
   Gudiyattam

... Referring Officers.

-vs-

Subramani ... Claimant

L.A.O.P. 46/2013:

1. The Land Acquisition Officer and
   Special Tahsildar(L.A.)
   Mordhana Reservoir Project Unit -I
   Gudiyatham.
2. The Executive Engineer , P.W.D.
   Mordhana Project Division, Sethuvandai,
   Gudiyattam

... Referring Officers.

-vs-

Muniraj ... Claimant

L.A.O.P. 47/2013:

1. The Land Acquisition Officer and
   Special Tahsildar(L.A.)
   Mordhana Reservoir Project Unit -I,
   Gudiyatham.
2. The Executive Engineer , P.W.D.
   Mordhana Project Division, Sethuvandai,
   Gudiyattam

... Referring Officers.

-vs-

Raja ... Claimant

L.A.O.P. 49/2013:

1. The Land Acquisition Officer and
   Special Tahsildar(L.A.)
   Mordhana Reservoir Project Unit -I,
   Gudiyatham.
2. The Executive Engineer , P.W.D.

Mordhana Project Division, Sethuvandai,
Gudiyattam

... Referring Officers.

-vs-

Arjunan ... Claimant

L.A.O.P. 52/2013:

1. The Land Acquisition Officer and
   Special Tahsildar(L.A.)
   Mordhana Reservoir Project Unit -I,
   Gudiyatham.
2. The Executive Engineer , P.W.D.
   Mordhana Project Division, Sethuvandai,
   Gudiyattam

... Referring Officers.

-vs-

Raman ... Claimant

L.A.O.P. 54/2013:

1. The Land Acquisition Officer and
   Special Tahsildar(L.A.)
   Mordhana Reservoir Project Unit -I,
   Gudiyatham.
2. The Executive Engineer , P.W.D.
   Mordhana Project Division, Sethuvandai,
   Gudiyattam

... Referring Officers.

-vs-

Subramani ... Claimant

L.A.O.P. 55/2013:

1. The Land Acquisition Officer and
   Special Tahsildar(L.A.)
   Mordhana Reservoir Project Unit -I,
   Gudiyatham.
2. The Executive Engineer , P.W.D.
   Mordhana Project Division, Sethuvandai,
   Gudiyattam

... Referring Officers.

-vs-

Loganathan ... Claimant

<u>L.A.O.P. 53/2013:</u>

1. The Land Acquisition Officer and
   Special Tahsildar(L.A.)
   Mordhana Reservoir Project Unit -I,
   Gudiyatham.
2. The Executive Engineer , P.W.D.
   Mordhana Project Division, Sethuvandai,
   Gudiyattam

... Referring Officers.

Vs.

Govindaraj ... Claimant

These above all petitions are coming before me for final hearing on 26.11.2013 in the presence of Thiru.S.R.Shanmugam, learned Government Pleader for the Referring Officers and Thiruvalargal. R.Subramanian, and R.Santhi Booshan learned counsels for the claimants in LAOP.Nos. 27/2013, 43/13, 45/13, 46/13 and 47/13 and Thiruvalargal. R. Subramanian and M.Sudakar, learned counsels for the claimants of other LAOPs , on hearing the arguments of both sides, upon perusing the entire case records and considering the Joint Trial Memo filed by both the parties and having stood over for consideration till this day, this court delivered the following

<u>COMMON ORDER</u>

These are the references made by the Referring Officer u/s 18(1) of the Land Acquisition Act as claimants sought for enhancement of compensation amount.

<u>2. Avernments of the references made by the Referring Officers runs as follows in common.</u>

The government had declared at page No.19 to 24 of the Tamil Nadu Government gazette part -II Section 2 dated 24.11.2000 that an extent of Rayathwari Punja lands measuring 1.45.5 hectares situated in the Village of Erayankadu in the Taluk of Vellore in the Registration District of Pallikondan in the District of Vellore which are registered in the name of particular persons or occupied by particular persons are needed for the formation of right main canal under Mordhana Reservoir Project , Gudiyattam. By invoking section 17 (2) of Land Acquisition Act 1894 and by following all the proceedings contemplated under sections 4(1), 6, 7, 9(1), 9(3), and 10 of the said

Act , 1.45.5 Hectares land and 3 big coconut trees were acquired by passing an award No.2/2001 dated 30.03.2001 by the land acquisition Officer and Special Thasildar (Land Acquisition) Mordhana Reservoir Project (Unit -1) Gudiyattam, Vellore District. As per award compensation of Rs. 93966 per Hectare was granted based on the data sale deed registered in the Pallikondan register Office vide No.1456/1999 dated 13.08.1999 and compensation of Rs. 90 per big coconut tree was granted. In total Rs. 136721.00 was awarded for land. For buildings, wells, trees, etc., Rs. 270/- was awarded, totally Rs. 136991.00 was awarded . 30% solutium of Rs. 41097.00 was awarded and 12% Additional amount from the date of 4(1) Notification till the date of award (from 18.10.2000 to 30.03.2001) of Rs. 7287.00 was awarded. In total compensation of Rs. 185385/- was awarded. As per reference possession was handed over on 10.04.2001 by receiving the cheque dated 30.03.2001 by the claimants.

3. (1) In LAOP 35/2013 claimant Baskaran's, land in S.No. 311/7A an extent of 0.00.5 Hectares and 2/6th share of land in S.No.315/5B an extent of 0.05.0 Hectares land was acquired by the Government and the compensation of Rs. 2755/- was paid. (2) In LAOP 19/2013 1/3rd share of claimant Ramesh's, lands in S.No. 340/1B2 an extent of 0.00.5 Hectares, in S.No.340/2B2 an extent of 0.01.0 Hectares and in S.No.340/2D2 an extent of 0.01.5 Hectares totally an extent of 0.03.0 Hectares land was acquired by the Government and the compensation of Rs. 1271/- was paid. (3) In LAOP 22/2013 claimant Jayanthi's lands in S.No. 340/1A2 an extent of 0.00.5 Hectares, in S.No. 340/1C2 an extent of 0.00.5 Hectares, in S.No.340/2A2 an extent of 0.00.5 Hectares and in S.No.340/2C2 an extent of 0.02.0 Hectares totally an extent of 0.03.5 Hectares land was acquired by the Government and the compensation of Rs. 4452/- was paid. (4) In LAOP 23/2013 1/3 share of claimant Kumadhadevan's land in S.No. 329/1B1A an extent of 0.02.0 Hectares was acquired by the Government and the compensation of Rs. 847/- was paid. (5) In LAOP 24/2013 1/3 share of claimant Govindasamy's land in S.No. 329/1B1A an extent of 0.02.0 Hectares was acquired by the Government and the compensation of Rs. 848/- was paid. (6)In LAOP 25/2013 1/3 share of claimant Velan's land in S.No. 329/1B1A an extent of 0.02.0 Hectares was acquired by the Government and the compensation of Rs. 848/- was paid. (7) In LAOP 27/2013 1/2 share of claimant Dhanamal's lands in S.No. 322/1B2 an extent of 0.01.0 Hectares and in S.No. 322/2A2 an extent of 0.00.5 Hectares, totally an extent of 0.01.5 Hectares land was acquired by the Government and the compensation of Rs. 954/- was paid. (8) In LAOP 29/2013 claimant Navaneetham's land in S.No. 321/2B2 an extent of 0.02.0 Hectares was acquired by the Government and the compensation of Rs.

2543/- was paid.(9) In LAOP 30/2013 claimant Rose's lands in S.No. 300/1B an extent of 0.01.0 Hectares, in S.No.300/2A2 an extent of 0.00.5 Hectares and in S.No. 300/3AB an extent of 0.00.5 Hectares, totally an extent of 0.02.0 Hectares land was acquired by the Government and the compensation of Rs. 2542/- was paid. (10) In LAOP 32/2013 claimant Chinnasamy's lands in S.No. 303/3E2A an extent of 0.01.0 Hectares was acquired by the Government and the compensation of Rs. 1272/- was paid. (11) In LAOP 33/2013 claimant Kusalaveni's land in S.No. 306/3A an extent of 0.01.0 Hectares , and 1/2 share of both land in S.No. 306/1A an extent of 0.005 Hectares and in S.No. 306/2A an extent of 0.00.5 Hectares land was acquired by the Government and the compensation of Rs. 1908/- was paid. (12) In LAOP 34/2013 1/2 share of claimant Chandrammal's lands in S.No. 306/1A an extent of 0.00.5 Hectares and in S.No. 306/2A an extent of 0.00.5 Hectares, totally half share in an extent of 0.01.0 Hectares land was acquired by the Government and the compensation of Rs. 636/- was paid. (13) In LAOP 36/2013 claimant Raghunathan's land in S.No. 311/8A an extent of 0.02.0 Hectares and 1/6 share of land in S.No. 315/5B an extent of 0.05.0 Hectares, land was acquired by the Government and the compensation of Rs. 3602/- was paid. **(14)** In LAOP 37/2013 1/3rd share of claimant Sivagami Ammal's land in 3/6th share of S.No. 315/5B to an extent of 0.05.0 Hectares was acquired by the Government and the compensation of Rs. 1060/- was paid. (15) In LAOP 38/2013 1/2 share of claimant Murugesan's land in S.No. 318/1B an extent of 0.00.5 Hectares was acquired by the Government and the compensation of Rs. 318/- was paid.

(16) In LAOP 39/2013 1/2 share of claimant Kannan's land in S.No. 294/1A an extent of 0.02.0 Hectares was acquired by the Government and the compensation of Rs. 1272/- was paid. (17) In LAOP 40/2013 1/2 share of claimant Murugesan's land in S.No. 294/1A an extent of 0.02.0 Hectares was acquired by the Government and the compensation of Rs. 1271/- was paid. (18) In LAOP 42/2013 claimant Duraisamy's lands in S.No. 270/1A an extent of 0.01.0 Hectares, in S.No. 270/1C an extent of 0.01.0 Hectares, in S.No. 271/1 an extent of 0.01.0 Hectares and in S.No. 270/3A an extent of 0.01.5 Hectares totally an extent of 0.04.5 Hectares and 2 coconut trees were acquired by the Government and the compensation of Rs. 5967/- was paid. (19) In LAOP 43/2013 1/7th share of claimant Arjunan's land in 7/8th share of S.No. 305/1A1 an extent of 0.00.5 Hectares was acquired by the Government and the compensation of Rs. 80/- was paid. (20) In LAOP 45/2013 1/3rd share of claimant Subramani's land in S.No. 282/1B an extent of 0.08.0 Hectares was acquired by the Government and the compensation of Rs. 3391/- was paid. (21) In LAOP 46/2013 claimant Muniraj's land in S.No. 284/2 an extent of 0.03.0 Hectares was acquired by the Government and the

compensation of Rs. 3815/- was paid. (22) In LAOP 47/2013 claimant Raja's lands in S.No. 285/1A2 an extent of 0.01.0 Hectares and in S.No.285/1K2 an extent of 0.01.5 Hectares totally an extent of 0.02.5 Hectares was acquired by the Government and the compensation of Rs. 3178/- was paid. (23) In LAOP 49/2013 claimant Arjunan's lands in S.No. 234/4A an extent of 0.01.0 Hectares and in S.No.234/5B1 an extent of 0.00.5 Hectares totally an extent of 0.01.5 Hectares was acquired by the Government and the compensation of Rs. 1907/- was paid. (24) In LAOP 52/2013 1/2 share of claimant Raman's lands in S.No. 248/1A an extent of 0.00.5 Hectares and in S.No.248/1C an extent of 0.03.5 Hectares totally an extent of 0.04.0 Hectares was acquired by the Government and the compensation of Rs. 2543/- was paid. (25) In LAOP 54/2013 claimant Subramani's land in S.No. 234/3C1 an extent of 0.00.5 Hectares was acquired by the Government and the compensation of Rs. 636/- was paid. (26) In LAOP 55/2013 claimant Loganathan's land in half share of S.No. 247/1A2 an extent of 0.01.5 Hectares was acquired by the Government and the compensation of Rs. 954/- was paid. 27) In LAOP 53/2013 1/2 share of claimant Govindaraj's lands in S.No. 248/1A an extent of 0.00.5 Hectares and in S.No.248/1C an extent of 0.03.5 Hectares totally an extent of 0.04.0 Hectares was acquired by the Government and the compensation of Rs. 2544/- was paid.

4. All the claimants received the above compensation under protest and requested for references u/s 18(1) of the land Acquisition Act to this Court seeking enhancement of compensation . Accordingly matter was referred to court. .

5. Though separate claim statements were filed in all these 27 LAOPs, except the averments relating to Survey number and extent of lands of claimants which were acquired, all other averments of claim statements are one and the same.

6. Brief averments of all the claim statements runs as follows in common :

LAOP No. 35/13 claimant's lands to an extent of 5.35 cents (0.02.16 Hectare) in Survey Nos.311/7A and 315/5B (2/6th share), LAOP.No.19/2013 claimant's lands to an extent of 7.41 cents (0.03.0 Hectare) in survey nos.340/1B2, 340/2B2 & 340/2D2, LAOP.No.22/2013 claimant's land to an extent of 8.64 cents (0.03.5 Hectare) in S.Nos.340/1A2, 340/1C2,340/2A2 & 340/2C2 , LAOP.No.23/2013 claimant's land to an extent of 4.94 cents (0.02.0 Hectare) in S.No. 329/1B1, LAOP.No.24/2013 claimant's 1/3rd share of land to an extent of 4.94 cents (0.02.0 Hectare) in S.No. 329/1B1, LAOP.No. 25/2013 claimant's 1/3rd share of land to an extent of 4.94 cents (0.02.0 Hectare) in S.No. 329/1B1, LAOP.No.27/2013 claimant's 1/2 share of land to an extent of 3.70 cents (0.01.5 Hectare) in S.No. 322/1B and 322/2A2, LAOP.No.29/2013 claimant's land to an extent of

4.94 cents (0.02.0 Hectare) in S.No. 321/2B2, LAOP.No.30/2013 claimant's land to an extent of 4.94 cents (0.02.0 Hectare) in S.Nos. 300/1B, 300/2A2 and 300/3B, LAOP.No.32/2013 claimant's land to an extent of 2.47 cents (0.01.0 Hectare) in S.No.303/3E2A, LAOP.No.33/2013 claimant's land to an extent of 3.70 cents (0.01.5 Hectare) in S.Nos.306/1A (1/2 share) , 306/2A (1/2 share) and 306/3A, LAOP.No.34/2013 claimant's 1/2 share of land to an extent of 2.47 cents (0.01.0 Hectare) in S.Nos. 306/1A and 306/2A, LAOP.No. 36/2013 claimant's land to an extent of 7 cents (0.02.83 Hectare) in S.Nos. 311/8A and 315/5B (1/6th share) , LAOP.No.37/2013 claimant's land to an extent of 2.05 cents (0.00.83 Hectare) in S.No.315/5B (1/6th share) , LAOP.No.38/2013 claimant's land to an extent of 1.23 cents (0.00.5 Hectare) in S.No.318/1B, LAOP.No.39/2013 claimant's 1/2 share of land to an extent of 4.94 cents (0.02.0 Hectare) in S.No.294/1A (1/2 share), LAOP.No.40/2013 claimant's 1/2 share of land to an extent of 4.94 cents (0.02.0 Hectare) in S.No. 294/1A (1/2 share) , LAOP.No.42/2013 claimant's land to an extent of 11.11 cents (0.04.5 Hectare) in S.Nos.270/1A, 270/1C, 271/1 and 270/3A, LAOP.No. 43/2013 claimant's land to an extent of 0.15 cents (0.00.06 Hectare in S.No.305/1A1 (1/8th share out of 0.00.5 hectare), LAOP.No.45/2013 claimant's land to an extent of 6.58 cents (0.02.6 Hectare) in S.No.282/1B (1/3rd share out of 0.08.0 hectare), LAOP.No.46/2013 claimant's land to an extent of 7.41 cents (0.03.0 Hectare) in S.No.284/2, LAOP.No. 47/2013 claimant's land to an extent of 6.17 cents (0.02.5 Hectare in S.Nos. 285/1A2 and 285/1K2 , LAOP.No.49/2013 claimant's land to an extent of 3.70 cents (0.01.5 Hectare) in S.Nos.234/4A and 234/5B1, LAOP.No. 52/2013 claimant's 1/2 share of land out of 0.04.0 hectare which measures an extent of 4.94 cents (0.02.0 Hectares) in S.Nos. 248/1A and 248/1C, LAOP.No.54/2013 claimant's land to an extent of 1.23 cents (0.00.5) Hectare) in S.No.234/3C1, LAOP.No.55/2013 claimant's land to an extent of 1.85 cents (0.00.75 Hectare) in S.No.247/1A2 (1/2 share out of 0.01.5 Hectare), LAOP.No.53/2013 claimant's 1/2 share out of 0.04.0 hectare land which measures an extent of 4.94 cents (0.02.0 Hectare) in S.Nos.248/1A and 248/1C of Erayankadu village, Vellore Taluk and District, were acquired under the provisions of Land Acquisition Act 1894 for the purpose of construction of water canal for Mordhana Reservoir Project. Award was passed by the Land Acquisition Officer on 30.03.2001 in Award No. 2 of 2001. Under the said award the land acquisition Officer had fixed the compensation payable to the claimant at Rs.38,043/- per acre for the acquired land. The land Acquisition Officer had relied upon a sale deed dated 13.08.1999 in document No.1456 of Pallikonda Sub Registrar office for arriving at the aforesaid valuation. The land acquired is irrigated punja land. The land was being cultivated using well water and rainwater. The crops like paddy, sugarcane, banana, groundnut, spices and vegetables were cultivated. Therefore, the claimant had required the Land Acquisition Officer to fix the compensation at Rs. 2,000/- per cent. The land Acquisition Officer had however relied on a under valued sale deed to value the irrigated punja lands and fixed the lowest value for th acquired land. The Land Acquisition Officer failed to consider the essential elements set out in section 23 of Land Acquisition Act and various guidelines evolved by the Hon'ble Supreme Court and the Hon'ble High court of Judicature at Madras in arriving at the just compensation for the acquired land. Since, the claimant did not accept the award, a reference was sought under section 18 of the Land Acquisition Act, 1894. Though the Land Acquisition Officer had taken 66 sale deeds as sale statistics for arriving at the value of land, he has considered only one of them as basis for arriving at the value of the acquired land. The sale deed, which was considered by the Land Acquisition Officer was the least valued sale deed out of the 66 sale deeds. The data land does not possess similar advantages as possessed by the acquired lands. The Land Acquisition Officer instead of taking the highest valued sale deed, has taken the lowest valued sale deed for fixing the compensation of the acquired land. The land acquisition Officer erred in rejecting the sale deeds in serial No. 3,5,8,24,29,31,36,43,45,46,47,48,49,50,51,53,54,58,60,62 and 66 of the sales statistics on the ground that the land has been sold for higher value and among the relatives. The reasons for rejecting the other sale deeds are flimsy and not acceptable particularly the reason stated by Land Acquisition Officer that the land sold is 1.6 Kilometer away from the acquired land. The Land Acquisition Officer failed to see the potentiality of the acquired land, while fixing the fair price. Having mentioned in the award about the fertility of the soil in respect of nanja and punja lands are same in nature and kind, the Land Acquisition Officer ought not to have rejected the sale deeds relating to nanja lands while fixing compensation. The crops cultivated in the nanja lands and in the punja lands were same. So, the value of the irrigated punja lands is similar to that of nanja lands. The crops like paddy, Sugarcane, Banana, Groundnut, Spices and Vegetables were cultivated in the acquired land. At a reasonable estimate the income will not be less than Rs.50,000/- per year per acre. The claimant will therefore be entitled to compensation as per capitalization method. The Erayankadu village is situated between Vellore - Tirupattur near the Bangalore national Highway. It is in fact a suburb residential and commercial area for Vellore Town. The acquired lands has the potentiality to be used as house site and as commercial property. The Land Acquisition Officer had fixed the compensation with out considering the fact that the acquired lands were situated just adjacent to the national highway. As a result of acquisition the land belonging to claimant has been reduced into a smaller extent. In fact a certain portion of the land has been rendered as unfit for cultivation because of the lie of the land. The Land Acquisition Officer should have therefore granted severance compensation for such lands. In view of the acquisition the claimant has to go around nearly 2 kilometers to reach his lands on the other side of the canal and the soil which was removed from the canal has been heaped up in the unacquired land of the claimant. The Land Acquisition Officer had not taken into account any of the above factors, which are essential while arriving at the compensation payable. The claimants therefore prays to award compensation at Rs.5,000/- per cent for the acquired land along with statutory benefits like solatium, additional amount and interest. The claimant of LAOP.No.42.2013 prays additionally to fix Rs.5,000/- per coconut tree, Rs.2,000/- per coconut sapling and Rs. 2,000/- for a eucalyptus tree and costs.

7**. The points for determination in these petitions are :**

1. Whether the compensation granted by the land Acquisition Officer for the acquired land is reasonable and sustainable and what should be the compensation for the acquired land ?
2. What is the enhanced compensation and what relief the claimants are entitled to ?

8. Joint trial memo was filed in LAOP 35/2013 and evidence is taken in that LAOP. All the LAOPs are tried jointly.

9**. On these points for determination:**

(a) on the side of the claimants:-

Claimant of L.A.O.P. 35/2013 was examined as C.W.1 and Ex.C.1 to C.3 were marked through him. Claimant of L.A.O.P. 19/2013 was examined as C.W.2. Claimant of L.A.O.P.22/2013 was examined as C.W.3. claimant of L.A.O.P 23/2013 was examined as C.W.4. claimant of L.A.O.P.27/2013 was examined as C.W.5. claimant of L.A.O.P.29/2013 was examined as C.W.6. claimant of L.A.O.P.30/2013 was examined as C.W.7. claimant of L.A.O.P.32/2013 was examined as C.W.8. claimant of L.A.O.P.36/2013 was examined as C.W.9. claimant of L.A.O.P.37/2013 was examined as C.W.10. claimant of L.A.O.P.38/2013 was examined as C.W.11. claimant of L.A.O.P.45/2013 was examined as C.W.12. claimant of L.A.O.P.46/2013 was examined as C.W.13. claimant of

L.A.O.P.47/2013 was examined as C.W.14. claimant of L.A.O.P. 49/2013 was examined as C.W.15. claimant of LAOP 52/2013 was examined as C.W.16. Claimant of L.A.O.P.54/2013 was examined as C.W.17. Claimant of L.A.O.P.55/2013 was examined as C.W.18. Claimant of L.A.O.P.24/2013 was examined as C.W.19. Claimant of L.A.O.P.25/2013 was examined as C.W.20. Claimant of L.A.O.P.33/2013 was examined as C.W.21. Claimant of L.A.O.P.34/2013 was examined as C.W.22. Claimant of L.A.O.P.39/2013 was examined as C.W.23. Claimant of L.A.O.P.40/2013 was examined as C.W.24. Claimant of L.A.O.P42/2013 was examined as C.W.25. Claimant of L.A.O.P.43/2013 was examined as C.W.26. Claimant of L.A.O.P.53/2013 was examined as C.W.27.

(b)On the side of the Referring Officer:-

Zonal Deputy Tahsildar was examined as R.W.1 and Ex. R1. & R.2 were marked through him.

10. Point No.1 :

In this judgment 27 Land Acquisition original petitions are combined together and common judgment is pronounced. In all the Land Acquisition original petitions' references there is single claimant. Lands in Survey number and extent mentioned in the column " averments of references " and the lands of some other individuals were acquired through same award number 2/2001 dated 30.03.2001 which was passed by invoking section 17(2) and by following the procedure contemplated under section 4(1), 6,7,9(1),9(3) and 10 of the Land Acquisition Act 1894. As per award compensation of Rs. 93966 per Hectare is fixed by taking the land sold under sale deed No.1456/1999 dated 13.08.1999 of Pallikonda Registrar Office as data land. Compensation of Rs. 90 per big coconut tree is awarded. The claimants of all these Land Acquisition original petitions are not satisfied with the compensation and received the compensation which included 30% solutium and 12% Additional amount under protest and requested to refer the matters to court for enhancement. Thus the matters are referred .

11. The case of the claimants of all Land Acquisition original petitions as per their claim statements had been elaborately narrated in the column, " Averments of claim statements" . Hence need not be reproduced hereunder. The gist of the claimants' case is that while fixing compensation the land acquisition Officer failed to see the potentiality of the land; that the land acquisition Officer relied on a under valued sale deed and fixed the lowest value for the acquired land; that the land acquisition Officer erred in rejecting the several sale deeds of sales statistics ; that the claimants will be entitled to compensation as per capitalization method ; that the area of acquired land is a sub

urban residential and commercial area for Vellore Town and so acquired lands have potentiality to be used as house sites and as commercial property; that the land acquisition officer should have granted severance compensation and the claimants prays to award compensation at Rs. 5000 per cent for the acquired land.

12. In order to establish claimants' case on their side claimant of LAOP 35/2013 was examined as C.W.1 and Ex.C.1 to C.3 were marked. By marking Ex.C.1 to C.3, C.W.1 had adduced oral evidence to the effect that his lands to an extent of 0.05.5 Hectares in S.No. 311/7A and 315/5B of Erayankadu village was acquired for Mordhana Reservoir Project; that Rs.380.43 per cent is fixed as compensation ; that the acquired lands are adjacent to Chennai- Bangaloor National High Ways Road and they are with in 7 K.M. from border of Vellore City and so they can be used as house sites; that the acquired lands should be treated as house site plots and higher compensation should be fixed; that the claimants should be granted severance compensation; that as per sale deed No. 333/98 dated 04.03.1998 of Pallikondan Sub Registrar Office the extent of 2400 Sq.ft. land was sold for Rs. 22,000/-; that as per sale deed No. 140/99 dated 28.01.1999 of Pallikondan Sub Registrar Office, the extent of 1200 sq.ft. land was sold for Rs. 11,000/- ; that based on the said sale deeds which are marked as Ex.C.1 and C.2 the compensation is to be fixed.

The claimants of remaining Land Acquisition original petitions who are examined as C.W.2 to C.W.27 had corroborated the evidence of C.W.1.

13. On the side of Referring Officers Zonal Deputy Tahsildar was examined as R.W.1 and Ex. R.1 and R.2 were marked through him. Ex.R.1 is sales statistics, Ex.R.2 is copy of sale deed of data land. According to R.W.1 as per his evidence lands sold under sale deed No. 1456/1999 dated 13.08.1999 of Pallikondan Sub Registrar Office was taken as data land and based on that compensation is fixed. According to R.W.1 Land Acquisition Officer had taken correct data land for fixing compensation and granted sufficient compensation to the land owners and so there is no need for enhancement.

14. This court analyzed evidence of both sides. C.W.1 had marked certified copy of sale deed No.333/1998 dated 04.03.1998 as Ex.C.1. As per Ex.C.1 2400 sq,ft of land was sold for Rs. 22,000/-. Rate per square feet comes to Rs. 9.16. Rate per cent comes to Rs.3996.66 (436 sq.ft. = 1 cent.) C.W.1 had marked certified copy of sale deed No. 140/1999 dated 28.01.1999 as Ex.C.2 . As per Ex.C.2 1200 sq.ft. land was sold for Rs. 11,000/- Rate per square feet comes to Rs. 9.16. Rate per

cent comes to Rs. 3996.66 (436 sq.ft = 1 cent). As per award Rs. 380.42 per cent was granted as compensation. C.W.1 prays to consider Ex.C.1 and C.2 and to grant compensation based on those sale deeds.

15. Now this court has to decide whether these documents can be considered by this court for enhancement of compensation. For that this court should be satisfied with respect to below mentioned three factors.

(i) Contemplated period.

The documents which are to be considered by this court to enhance the compensation should be within three years prior to the date of 4(1) Notification. Because award referred sales statistics documents are within three years prior to the date of 4(1) Notification. Date of 4(1) Notification is 18.10.2000 . Date of Ex.C.1 and C.2 sale deeds are 04.03.1998 and 28.01.1999 respectively. Ex.C.1 and C.,2 sale deeds are within the 3 years prior to the date of 4(1) Notification.

(ii) Nearness:

The lands of sale deeds which are to be considered by the court to enhance compensation should be nearer to acquired land. According to C.Ws. the lands of Ex.C.1 and C.2 are nearer to the acquired land . On the side of Referring Officer only sales statistics and sale deed of data land alone were marked. The Referring Officer failed to mark Eye sketch. Only upon production of eye sketch the claimants will be able to prove that acquired land and the lands of Ex.C.1 and C.2 are nearer. The reason for non filing of eye sketch are best known to the Referring Officer. Since the eye sketch was not produced by the Referring Officers this court cannot expect the claimants to prove strictly the factum of nearness of lands of Ex.C.1 and C.2 and acquired land. The lands acquired situated in Erayankadu village . The lands of Ex.C.1 and C.2 sale deeds are also situated in Erayankadu village . The S.No. of land of Ex.C.1 and C.2 is 358. The counsel for claimants by citing page No.4 of Award proceedings argued that some of the acquired lands' Survey number is 340 and 341 and so

Ex.C.1 and C.2 sale deeds lands are nearer to acquired land because the survey number of Ex.C.1 and C.2 is 358, this court is agreeing with the argument of claimant's counsel to some extent and holds that the lands of Ex.C.1 and C.2 sale deeds are nearer to acquired land .

(iii) Same fertility:

Admittedly acquired lands are agricultural land. Claimants had marked Ex.C.1 and C.2 sale deeds which are pertaining to house site plots. The learned Additional Government Pleader had argued that the sale deeds of Ex.C.1 and C.2 should not be considered by this court because of different fertility. But the learned counsel for claimants had argued that the data land Sl.No.41 taken by the Acquisition authority is itself in the nature of house site plots. He is arguing as above based on the award proceedings in which (in page No.24) it has been stated as follows.

“ வரிசை எண். 41 ல் கண்ட விற்பனையில் மேற்படி எறையங்காடு கிராமத்தில் புன்செய் சர்வே எண். 315/3 ல் 0.89 ஏக்கர் மற்றும் 316/3எ2 ல் 0.03 ஏக்கர் ஆக 0.92 ஏக்கர் நிலம் பள்ளிகொண்டா சார்பதிவாளர் அலுவலக ஆவண எண். 1456 நாள். 13.08.1999 ன் படி ரூ.35,000/- க்கு விற்பனையாகியுள்ளது. இந்நிலத்தினை 25.11.2000 தேதியன்று புலத்தனிக்கை செய்யப்பட்டது. இது நீர் பாய்ச்சப்படும் புன்செய் நிலமாகும். தற்போது வீட்டுமனைகள் போடப்பட்டு கற்கள் நடப்பட்டுள்ளது. வீட்டுமனைகளும் விற்பனை செய்யப்பட்டுள்ளது.

Hence according to claimants' counsel the lands of Ex.C.1 and C.2 can be considered for enhancement of compensation. Moreover according to claimants the acquired lands have the potentiality to be used as house sites and as commercial property because the acquired area is a Sub urban residential and commercial area for Vellore Town. Irrespective of above argument this court during initial course of argument refused to consider the lands of Ex.C.1 and C.2 sale deeds for the reason that the acquired land and lands under Ex.C.1 and C.2 sale deeds are in different fertility. Then the counsel for claimants submitted the ruling reported in AIR 2006 S.C. 3572 . In the said ruling it has been sated as follows .

> "........... Thus there is no bar in law to exemplars of small plots being considered . In an appropriate case specially when other relevant or material evidence is not available , such exemplars can be considered after making adequate discount. "

By citing the said ruling by stating data land itself of the nature of house site plots and by arguing that acquired lands are having potentiality to be used as house sites , the counsel for the claimants requested this court to consider Ex.C.1 and C.2 sale deeds . This court based on the ruling submitted by the claimants counsel is inclined to consider the sale value of Ex.C.1 and C.2 sale deeds but after deducting some of the sale value for the reason that acquired lands are agricultural lands and land of Ex.C.1 and C.2 are house site plots and for the reason that lands of Ex.C.1 and C.2 are of smaller extent. So this court decides to deduct 50% of sale value of Ex.C.1 and C.2. As already mentioned the rate per cent as per Ex.C.1 and C.2 comes to Rs. 3996.66. After 50% deduction the rate per cent comes to Rs. 1998.33. The rounded amount of Rs.1998.00 per cent is fixed by this court as compensation for acquired land based on Ex.C.1 and C.2 sale deeds and based on the ruling cited by the claimants counsel. As per award Rs.380.43 per cent is fixed as compensation. The reason for considering Ex.C.1 and C.2 sale deeds and for fixing Rs. 1998.00 per cent as compensation by this court runs as follows.

> " The owners of the acquired lands are poor agriculturists. They have lost their lands which were their livelihood . Nowadays the value of lands are being increased. Usually the sale deeds which are marked by the claimants will show only guide line value. In reality more amount used to be involved in the sale transaction. If those acquired lands are in the hands of the owners till today, they can sell for higher sale value. "

As per award Rs. 90/- is fixed for each big coconut tree. There is no evidence by claimants to show the potentiality of the coconut trees. This court is enhancing the compensation for each big coconut tree to Rs. 2000/-. Thus rate of Rs.1998 per cent is fixed as compensation for acquired lands and Rs. 2000/- is fixed as compensation for each acquired coconut tree. This point for consideration is answered accordingly.

16. Point No. 2:

LAOP.No.35/2013.

In the result, the reference is allowed without costs, thereby for acquired land of 0.00.5 Hectares and for acquired 2/6th share in land of 0.05.0 Hectares compensation is fixed at Rs. 1998 per cent for land , it comes to Rs. 10693/-, after deducting already paid compensation at Rs.380.42 per cent for land , compensation comes to Rs.8657/-, 30% solutium is given on the above amount it comes to Rs.2597/- and 12% p.a additional amount is given on the above amount from the date of notification to the date of award i.e., from 18.10.2000 to 30.03.2001 it comes to Rs. 467/- and thus the total compensation of Rs. 11721/- is awarded . Further interest is awarded on the total compensation amount of Rs.11721 /- at the rate of 9% p.a. from the date of Land Acquisition Officer 's award for one year, thereafter 15% p.a till date of deposit. The land Acquisition Officer is directed to comply the above award within 3 months.

L.A.O.P. 19/13

In the result, the reference is allowed without costs, thereby for acquired 1/3rd share of land of 0.03.0 Hectares compensation is fixed at Rs. 1998 per cent for land , it comes to Rs. 14805/-, after deducting already paid compensation at Rs.380.42 per cent for land , compensation comes to Rs.11986/-,1/3rd share of claimant comes to Rs.3995/- 30% solutium is given on the above amount it comes to Rs.1199/- and 12% p.a additional amount is given on the above amount from the date of notification to the date of award i.e., from 18.10.2000 to 30.03.2001 it comes to Rs. 215/- and thus the total compensation of Rs. 5409/- is awarded . Further interest is awarded on the total compensation amount of Rs.5409 /- at the rate of 9% p.a. from the date of Land Acquisition Officer 's award for one year, thereafter 15% p.a till date of deposit. The land Acquisition Officer is directed to comply the above award within 3 months.

L.A.O.P 22/2013

In the result, the reference is allowed without costs, thereby for acquired land of 0.03.5 Hectares compensation is fixed at Rs. 1998 per cent for land , it comes to Rs. 17273/-, after deducting already paid compensation at Rs.380.42 per cent for land , compensation comes to Rs.13983/-, 30% solutium is given on the above amount it comes to Rs.4195/- and 12% p.a additional amount is given on the above amount from the date of notification to the date of award i.e., from 18.10.2000 to 30.03.2001 it comes to Rs. 754/- and thus the total compensation of Rs. 18932/- is awarded . Further interest is awarded on the total compensation amount of Rs.18932 /- at the rate of 9% p.a. from the date of Land Acquisition Officer 's award for one year, thereafter 15% p.a till date of deposit. The land Acquisition Officer is directed to comply the above award within 3 months.

L.A.O.P. 23/2013

In the result, the reference is allowed without costs, thereby for acquired 1/3rd share of land of 0.02.0 Hectares compensation is fixed at Rs. 1998 per cent for land , it comes to Rs. 9870/-, after deducting already paid compensation at Rs.380.42 per cent for land , compensation comes to Rs.7991/-,1/3rd share of claimant comes to Rs.2664/- 30% solutium is given on the above amount it comes to Rs.799/- and 12% p.a additional amount is given on the above amount from the date of notification to the date of award i.e., from 18.10.2000 to 30.03.2001 it comes to Rs. 144/- and thus the total compensation of Rs. 3607/- is awarded . Further interest is awarded on the total compensation amount of Rs.3607 /- at the rate of 9% p.a. from the date of Land Acquisition Officer 's award for one year, thereafter 15% p.a till date of deposit. The land Acquisition Officer is directed to comply the above award within 3 months.

LAOP. 24/2013

In the result, the reference is allowed without costs, thereby for acquired 1/3rd share of land of 0.02.0 Hectares compensation is fixed at Rs. 1998 per cent for land , it comes to Rs. 9870/-, after deducting already paid compensation at Rs.380.42 per cent for land , compensation comes to Rs.7991/-,1/3rd share of claimant comes to Rs.2664/- 30% solutium is given on the above amount it comes to Rs.799/- and 12% p.a additional amount is given on the above amount from the date of notification to the date of award i.e., from 18.10.2000 to 30.03.2001 it comes to Rs. 144/- and thus the total compensation of Rs. 3607/- is awarded . Further interest is awarded on the total compensation amount of Rs.3607 /- at the rate of 9% p.a. from the date of Land Acquisition Officer 's award for one year, thereafter 15% p.a till date of deposit. The land Acquisition Officer is directed to comply the above award within 3 months.

L.A.O.P. 25/2013

In the result, the reference is allowed without costs, thereby for acquired 1/3rd share of land of 0.02.0 Hectares compensation is fixed at Rs. 1998 per cent for land , it comes to Rs. 9870/-, after deducting already paid compensation at Rs.380.42 per cent for land , compensation comes to Rs.7991/-,1/3rd share of claimant comes to Rs.2664/- 30% solutium is given on the above amount it comes to Rs.799/- and 12% p.a additional amount is given on the above amount from the date of notification to the date of award i.e., from 18.10.2000 to 30.03.2001 it comes to Rs. 144/- and thus the total compensation of Rs. 3607/- is awarded . Further interest is awarded on the total compensation amount of Rs.3607 /- at the rate of 9% p.a. from the date of Land Acquisition Officer 's award for one year, thereafter 15% p.a till date of deposit. The land Acquisition Officer is directed to comply the above award within 3 months.

LAOP.No. 27/2013

In the result, the reference is allowed without costs, thereby for acquired 1/2 share of land of 0.01.5 Hectares compensation is fixed at Rs. 1998 per cent for land , it comes to Rs. 7403/-, after deducting already paid compensation at Rs.380.42 per cent for land , compensation comes to Rs.5994/-,1/2 share of claimant comes to Rs.2997/- 30% solutium is given on the above amount it comes to Rs.899/- and 12% p.a additional amount is given on the above amount from the date of notification to the date of award i.e., from 18.10.2000 to 30.03.2001 it comes to Rs. 162/- and thus the total compensation of Rs. 4058/- is awarded . Further interest is awarded on the total compensation amount of Rs.4058 /- at the rate of 9% p.a. from the date of Land Acquisition Officer 's award for one year, thereafter 15% p.a till date of deposit. The land Acquisition Officer is directed to comply the above award within 3 months.

L.A.O.P.29/2013

In the result, the reference is allowed without costs, thereby for acquired land of 0.02.0 Hectares compensation is fixed at Rs. 1998 per cent for land , it comes to Rs. 9870/-, after deducting already paid compensation at Rs.380.42 per cent for land , compensation comes to Rs.7991/-, 30% solutium is given on the above amount it comes to Rs.2397/- and 12% p.a additional amount is given on the above amount from the date of notification to the date of award i.e., from 18.10.2000 to 30.03.2001 it comes to Rs. 431/- and thus the total compensation of Rs. 10819/- is awarded . Further interest is awarded on the total compensation amount of Rs.10819 /- at the rate of 9% p.a. from the date of Land Acquisition Officer 's award for one year, thereafter 15% p.a till date of deposit. The land Acquisition Officer is directed to comply the above award within 3 months.

L.A.O.P. 30/2013

In the result, the reference is allowed without costs, thereby for acquired land of 0.02.0 Hectares compensation is fixed at Rs. 1998 per cent for land , it comes to Rs. 9870/-, after deducting already paid compensation at Rs.380.42 per cent for land , compensation comes to Rs.7991/-, 30% solutium is given on the above amount it comes to Rs.2397/- and 12% p.a additional amount is given on the above amount from the date of notification to the date of award i.e., from 18.10.2000 to 30.03.2001 it comes to Rs. 431/- and thus the total compensation of Rs. 10819/- is awarded . Further interest is awarded on the total compensation amount of Rs.10819 /- at the rate of 9% p.a. from the date of Land Acquisition Officer 's award for one year, thereafter 15% p.a till date of deposit. The land Acquisition Officer is directed to comply the above award within 3 months.

L.A.O.P. 32/2013

In the result, the reference is allowed without costs, thereby for acquired land of 0.01.0 Hectares compensation is fixed at Rs. 1998 per cent for land , it comes to Rs. 4935/-, after deducting already paid compensation at Rs.380.42 per cent for land , compensation comes to Rs.3995/-, 30% solutium is given on the above amount it comes to Rs.1199/- and 12% p.a additional amount is given on the above amount from the date of notification to the date of award i.e., from 18.10.2000 to 30.03.2001 it comes to Rs. 215/- and thus the total compensation of Rs. 5409/- is awarded . Further interest is awarded on the total compensation amount of Rs.5409 /- at the rate of 9% p.a. from the date of Land Acquisition Officer 's award for one year, thereafter 15% p.a till date of deposit. The land Acquisition Officer is directed to comply the above award within 3 months.

L.A.O.P.33/2013.

In the result, the reference is allowed without costs, thereby for acquired land of 0.01.5 Hectares compensation is fixed at Rs. 1998 per cent for land , it comes to Rs. 7403/-, after deducting already paid compensation at Rs.380.42 per cent for land , compensation comes to Rs.5993/-, 30% solutium is given on the above amount it comes to Rs.1798/- and 12% p.a additional amount is given on the above amount from the date of notification to the date of award i.e., from 18.10.2000 to 30.03.2001 it comes to Rs. 323/- and thus the total compensation of Rs. 8114/- is awarded . Further interest is awarded on the total compensation amount of Rs.8114 /- at the rate of 9% p.a. from the date of Land Acquisition Officer 's award for one year, thereafter 15% p.a till date of deposit. The land Acquisition Officer is directed to comply the above award within 3 months.

L.A.O.P. 34/2013

In the result, the reference is allowed without costs, thereby for acquired 1/2 share of land of 0.01.0 Hectares compensation is fixed at Rs. 1998 /- per cent for land , it comes to Rs. 2468/-, after deducting already paid compensation at Rs.380.42 per cent for land , compensation comes to Rs.1998/-, 30% solutium is given on the above amount it comes to Rs.599/- and 12% p.a additional amount is given on the above amount from the date of notification to the date of award i.e., from 18.10.2000 to 30.03.2001 it comes to Rs. 108/- and thus the total compensation of Rs. 2705/- is awarded . Further interest is awarded on the total compensation amount of Rs.2705 /- at the rate of

9% p.a. from the date of Land Acquisition Officer 's award for one year, thereafter 15% p.a till date of deposit. The land Acquisition Officer is directed to comply the above award within 3 months.

LAOP.No. 36/2013

In the result, the reference is allowed without costs, thereby for acquired land of 0.02.0 Hectares and for acquired 1/6th share in land of 0.05.0 Hectares compensation is fixed at Rs. 1998 per cent for land , it comes to Rs. 13983/-, after deducting already paid compensation at Rs.380.42 per cent for land , compensation comes to Rs.11321/-, 30% solutium is given on the above amount it comes to Rs.3396/- and 12% p.a additional amount is given on the above amount from the date of notification to the date of award i.e., from 18.10.2000 to 30.03.2001 it comes to Rs. 610/- and thus the total compensation of Rs. 15327/- is awarded . Further interest is awarded on the total compensation amount of Rs.15327 /- at the rate of 9% p.a. from the date of Land Acquisition Officer 's award for one year, thereafter 15% p.a till date of deposit. The land Acquisition Officer is directed to comply the above award within 3 months.

LAOP.No.37/2013

In the result, the reference is allowed without costs, thereby for acquired 1/3rd share of land in 3/6th share in the land of 0.05.0 Hectares compensation is fixed at Rs. 1998 per cent for land , it comes to Rs. 12338/-, after deducting already paid compensation at Rs.380.42 per cent for land , compensation comes to Rs.9989/-,1/3rd share of claimant comes to Rs.3330/- 30% solutium is given on the above amount it comes to Rs.999/- and 12% p.a additional amount is given on the above amount from the date of notification to the date of award i.e., from 18.10.2000 to 30.03.2001 it comes to Rs. 180/- and thus the total compensation of Rs. 4509/- is awarded . Further interest is awarded on the total compensation amount of Rs.4509 /- at the rate of 9% p.a. from the date of Land Acquisition Officer 's award for one year, thereafter 15% p.a till date of deposit. The land Acquisition Officer is directed to comply the above award within 3 months.

LAOP No. 38/2013

In the result, the reference is allowed without costs, thereby for acquired 1/2 share of land of 0.00.5 Hectares compensation is fixed at Rs. 1998 per cent for land , it comes to Rs. 2468/-, after deducting already paid compensation at Rs.380.42 per cent for land , compensation comes to Rs.1998/-,1/2 share of claimant comes to Rs.999/- 30% solutium is given on the above amount it comes to Rs.300/- and 12% p.a additional amount is given on the above amount from the date of notification to the date of award i.e., from 18.10.2000 to 30.03.2001 it comes to Rs. 54/- and thus the total compensation of Rs. 1353/- is awarded . Further interest is awarded on the total compensation amount of Rs.1353 /- at the rate of 9% p.a. from the date of Land Acquisition Officer 's award for one year, thereafter 15% p.a till date of deposit. The land Acquisition Officer is directed to comply the above award within 3 months.

LAOP.No. 39/2013

In the result, the reference is allowed without costs, thereby for acquired 1/2 share of land of 0.02.0 Hectares compensation is fixed at Rs. 1998 per cent for land , it comes to Rs. 9870/-, after deducting already paid compensation at Rs.380.42 per cent for land , compensation comes to Rs.7991/-,1/2 share of claimant comes to Rs.3996/- 30% solutium is given on the above amount it comes to Rs.1199/- and 12% p.a additional amount is given on the above amount from the date of notification to the date of award i.e., from 18.10.2000 to 30.03.2001 it comes to Rs. 215/- and thus the total compensation of Rs. 5410/- is awarded . Further interest is awarded on the total compensation amount of Rs.5410 /- at the rate of 9% p.a. from the date of Land Acquisition Officer 's award for one year, thereafter 15% p.a till date of deposit. The land Acquisition Officer is directed to comply the above award within 3 months.

L.A.O.P.40/2013

In the result, the reference is allowed without costs, thereby for acquired 1/2 share of land of 0.02.0 Hectares compensation is fixed at Rs. 1998 per cent for land , it comes to Rs. 9870/-, after deducting already paid compensation at Rs.380.42 per cent for land , compensation comes to Rs.7991/-,1/2 share of claimant comes to Rs.3996/- 30% solutium is given on the above amount it comes to Rs.1199/- and 12% p.a additional amount is given on the above amount from the date of notification to the date of award i.e., from 18.10.2000 to 30.03.2001 it comes to Rs. 215/- and thus the total compensation of Rs. 5410/- is awarded . Further interest is awarded on the total compensation amount of Rs.5410 /- at the rate of 9% p.a. from the date of Land Acquisition Officer 's award for one year, thereafter 15% p.a till date of deposit. The land Acquisition Officer is directed to comply the above award within 3 months.

L.A.O.P. No. 42/2013

In the result, the reference is allowed without costs, thereby for acquired land of 0.04.5 Hectares compensation is fixed at Rs. 1998 per cent for land and Rs.2000/- per big coconut tree, it comes to Rs. 26208/-, after deducting already paid compensation at Rs.380.42 per cent for land and Rs.90 per big coconut tree , compensation comes to Rs.21799/- 30% solutium is given on the above amount it comes to Rs.6540/- and 12% p.a additional amount is given on the above amount from the date of notification to the date of award i.e., from 18.10.2000 to 30.03.2001 it comes to Rs. 1175- and thus the total compensation of Rs. 29514/- is awarded . Further interest is awarded on the total compensation amount of Rs.29514 /- at the rate of 9% p.a. from the date of Land Acquisition Officer 's award for one year, thereafter 15% p.a till date of deposit. The land Acquisition Officer is directed to comply the above award within 3 months.

LAOP. 43/2013

In the result, the reference is allowed without costs, thereby for acquired 1/7th share of land in 7/8th share in the land of 0.00.5 Hectares compensation is fixed at Rs. 1998 per cent for land , it comes to Rs. 2160/-, after deducting already paid compensation at Rs.380.42 per cent for land , compensation comes to Rs.1748/-,1/7th share of claimant comes to Rs.250/- 30% solutium is given on the above amount it comes to Rs.75/- and 12% p.a additional amount is given on the above amount from the date of notification to the date of award i.e., from 18.10.2000 to 30.03.2001 it comes to Rs. 13/- and thus the total compensation of Rs. 338/- is awarded . Further interest is awarded on the total compensation amount of Rs.338 /- at the rate of 9% p.a. from the date of Land Acquisition Officer 's award for one year, thereafter 15% p.a till date of deposit. The land Acquisition Officer is directed to comply the above award within 3 months.

L.A.O.P 45/2013

In the result, the reference is allowed without costs, thereby for acquired 1/3rd share of land of 0.08.0 Hectares compensation is fixed at Rs. 1998 per cent for land , it comes to Rs. 39480/-, after deducting already paid compensation at Rs.380.42 per cent for land , compensation comes to Rs.31963/-,1/3rd share of claimant comes to Rs.10654/- 30% solutium is given on the above amount it comes to Rs.3196/- and 12% p.a additional amount is given on the above amount from the date of notification to the date of award i.e., from 18.10.2000 to 30.03.2001 it comes to Rs. 574/- and thus the total compensation of Rs. 14424/- is awarded . Further interest is awarded on the total compensation amount of Rs.14424 /- at the rate of 9% p.a. from the date of Land Acquisition Officer 's award for one year, thereafter 15% p.a till date of deposit. The land Acquisition Officer is directed to comply the above award within 3 months.

LAOP. 46/2013

In the result, the reference is allowed without costs, thereby for acquired land of 0.03.0 Hectares compensation is fixed at Rs. 1998 per cent for land , it comes to Rs. 14805/-, after deducting already paid compensation at Rs.380.42 per cent for land , compensation comes to Rs.11986/- 30% solutium is given on the above amount it comes to Rs.3596/- and 12% p.a additional amount is given on the above amount from the date of notification to the date of award i.e., from 18.10.2000 to 30.03.2001 it comes to Rs. 646/- and thus the total compensation of Rs. 16228/- is awarded . Further interest is awarded on the total compensation amount of Rs.16228 /- at the rate of 9% p.a. from the date of Land Acquisition Officer 's award for one year, thereafter 15% p.a till date of deposit. The land Acquisition Officer is directed to comply the above award within 3 months.

LAOP.No. 47/2013

In the result, the reference is allowed without costs, thereby for acquired land of 0.02.5 Hectares compensation is fixed at Rs. 1998 per cent for land , it comes to Rs. 12338/-, after deducting already paid compensation at Rs.380.42 per cent for land , compensation comes to Rs.9989/- 30% solutium is given on the above amount it comes to Rs.2997/- and 12% p.a additional amount is given on the above amount from the date of notification to the date of award i.e., from 18.10.2000 to 30.03.2001 it comes to Rs. 539/- and thus the total compensation of Rs. 13525/- is awarded . Further interest is awarded on the total compensation amount of Rs.13525 /- at the rate of 9% p.a. from the date of Land Acquisition Officer 's award for one year, thereafter 15% p.a till date of deposit. The land Acquisition Officer is directed to comply the above award within 3 months.

LAOP 49/2013

In the result, the reference is allowed without costs, thereby for acquired land of 0.01.5 Hectares compensation is fixed at Rs. 1998 per cent for land , it comes to Rs. 7403/-, after deducting already paid compensation at Rs.380.42 per cent for land , compensation comes to Rs.5994/- 30% solutium is given on the above amount it comes to Rs.1798/- and 12% p.a additional amount is given on the above amount from the date of notification to the date of award i.e., from 18.10.2000 to 30.03.2001 it comes to Rs. 323/- and thus the total compensation of Rs. 8115/- is awarded . Further interest is awarded on the total compensation amount of Rs.8115 /- at the rate of 9% p.a. from the date of Land Acquisition Officer 's award for one year, thereafter 15% p.a till date of deposit. The land Acquisition Officer is directed to comply the above award within 3 months.

LAOP 52/2013:

In the result, the reference is allowed without costs, thereby for acquired 1/2 share of land of 0.04.0 Hectares compensation is fixed at Rs. 1998 per cent for land , it comes to Rs. 19740/-, after deducting already paid compensation at Rs.380.42 per cent for land , compensation comes to Rs.15981/-,1/2 share of claimant comes to Rs.7991/- 30% solutium is given on the above amount it comes to Rs.2397/- and 12% p.a additional amount is given on the above amount from the date of notification to the date of award i.e., from 18.10.2000 to 30.03.2001 it comes to Rs. 431/- and thus the total compensation of Rs. 10819/- is awarded . Further interest is awarded on the total compensation amount of Rs.10819 /- at the rate of 9% p.a. from the date of Land Acquisition Officer 's award for one year, thereafter 15% p.a till date of deposit. The land Acquisition Officer is directed to comply the above award within 3 months.

L.A.O.P.54/2013

In the result, the reference is allowed without costs, thereby for acquired land of 0.00.5 Hectares compensation is fixed at Rs. 1998 /- per cent for land , it comes to Rs. 2468/-, after deducting already paid compensation at Rs.380.42 per cent for land , compensation comes to Rs.1998/-, 30% solutium is given on the above amount it comes to Rs.599/- and 12% p.a additional amount is given on the above amount from the date of notification to the date of award i.e., from 18.10.2000 to 30.03.2001 it comes to Rs. 108/- and thus the total compensation of Rs. 2705/- is awarded . Further interest is awarded on the total compensation amount of Rs.2705 /- at the rate of 9% p.a. from the date of Land Acquisition Officer 's award for one year, thereafter 15% p.a till date of deposit. The land Acquisition Officer is directed to comply the above award within 3 months.

LAOP 55/2013

In the result, the reference is allowed without costs, thereby for acquired 1/2 share of land of 0.01.5 Hectares compensation is fixed at Rs. 1998 /- per cent for land , it comes to Rs. 3702/-, after deducting already paid compensation at Rs.380.42 per cent for land , compensation comes to Rs.2952/-, 30% solutium is given on the above amount it comes to Rs.886/- and 12% p.a additional amount is given on the above amount from the date of notification to the date of award i.e., from 18.10.2000 to 30.03.2001 it comes to Rs. 159/- and thus the total compensation of Rs. 3997/- is awarded . Further interest is awarded on the total compensation amount of Rs.3997 /- at the rate of 9% p.a. from the date of Land Acquisition Officer 's award for one year, thereafter 15% p.a till date of deposit. The land Acquisition Officer is directed to comply the above award within 3 months.

LAOP.No.53/2013:

In the result, the reference is allowed without costs, thereby for acquired 1/2 share of land of 0.04.0 Hectares compensation is fixed at Rs. 1998 per cent for land , it comes to Rs. 19740/-, after deducting already paid compensation at Rs.380.42 per cent for land , compensation comes to Rs.15981/-,1/2 share of claimant comes to Rs.7991/- 30% solutium is given on the above amount it comes to Rs.2397/- and 12% p.a additional amount is given on the above amount from the date of notification to the date of award i.e., from 18.10.2000 to 30.03.2001 it comes to Rs. 431/- and thus the total compensation of Rs. 10819/- is awarded . Further interest is awarded on the total compensation amount of Rs.10819 /- at the rate of 9% p.a. from the date of Land Acquisition Officer 's award for one year, thereafter 15% p.a till date of deposit. The land Acquisition Officer is directed to comply the above award within 3 months.

Dictated to steno Typist directly and computerized by her, corrected and pronounced by me in the open court, this the 29th day of November 2013.

Special Sub Judge,
Vellore.

Claimants' side Witnesses :

C.W.1 - Thiru. Baskaran
C.W.2 - Thiru.Ramesh
C.W.3 - Tmt. Jayanthi
C.W.4 - Tmt. Kumudadevan
C.W.5 - Tmt. Dhanammal
C.W.6 - Tmt. Navaneethammal
C.W.7 - Tmt.Rose
C.W.8 - Thiru.Chinnasamy
C.W.9 - Thiru. Ragunathan
C.W.10 - Tmt. Sivagami
C.W.11 - Thiru. Murugesan
C.W.12 - Thiru. Subramani
C.W.13 - Thiru. Muniraj
C.W.14 - Thiru.Raja
C.W.15 - Thiru.Arjunan
C.W.16 - Thiru.Raman

C.W.17 - Thiru.Subramani

C.W.18 - Thiru. Loganathan

C.W.19 - Thiru. Govindasamy

C.W.20 - Thiru. Velan

C.W.21 - Tmt. Kusalaveni

C.W.22 - Tmt. Chandirammal

C.W.23 - Thiru. Kannan

C.W.24 - Thiru. MUrugesan

C.W.25 - Thiru.Duraisamy

C.W.26 - Thiru. Arjunan

C.W.27 - Tmt. Govindasamy

Claimant's side Exhibits :

Ex.C.1 - 04.03.1998 - Certified copy of sale deed.

Ex.C.2 - 28.01.1999 - Certified copy of sale deed.

Ex.C.3 - 31.05.2011 - certified xerox copy of common order in LAOP 111 to 145 of 2005 on the file of Additional District and Sessions Judge, Vellore

Referring Officer's side Exhibits:

Ex.R.1 - ---- - Sales Statistics

Ex.R.2 - 11.08.1999 - Certified xerox copy of sale deed.

Referring Officer's side Witnesses:

R.W.1 - Thiru. Palani.

Spl.S.J.
Vellore.