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IN THE COURT OF THE PRINCIPAL DISTRICT JUDGE, SALEM.

Present: Thiru. Swarnam J. Natarajan, M.L.,
Principal District Judge, Salem.

Thursday, this the 25th day of June - 2026

Land Acquisition Original Petition No.169/2019 -in-
CNR.No.TNSA01-004353-2019

1. K.P. Ganesan
2. Mahaveer Jain
3. Leena Rathore

.. Claimants

- versus -

The Land Acquisition Officer and
The District Revenue Officer, Salem.

.. Respondent

This petition is coming on this day for final hearing before me in the presence of Thiru. D.M. Senthil Kumar, Advocate for the Claimants 2 and 3 and of Thiru. A. Madhanmohan, Government Pleader for the respondent and the 1st claimant(who closed), and upon hearing both sides arguments, perusing the evidence, and documents, the case having stood over for consideration till this date, this Court delivers the following:

ORDER

Reference was made under Section 22(3) and 23 of the Tamil Nadu Highways Act, 2001 by the Land Acquisition Officer/District Revenue Officer, Salem, with respect to an extent of 44.0 square meters of Ryotwari Punja land in Survey Number M/9/78-2 of Meyanoor Village in Salem West Taluk, which

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was acquired for the construction of a two-tier flyover bridge by Award No.1/2019 dated 25.5.2019.

(ii) The said land is registered in the name of K.P.Ganesan, Mahaveer Jain, Leena Rathore, who appeared before the enquiry and produced relevant documents. There is no objection to the sub-divisional functioning mutation.

(iii) As per the records of Suramangalam Sub-Registrar Office, Document No.2598/2000, the buyer's name is registered as Mahaveer Jain. But the Aadhaar is registered in the name of Mahaveer Kumar Rathore. Bank account is in the name of Mahaveer Kumar Rathore. The buyer did not produce the Gazette notification in his favour. The compensation is deposited before the Court with a request to adjudicate as to the person who is entitled for the apportionment of the compensation.

(iv) In this regard, while the LAOP was pending, the reference was closed since the Claimants 1 to 3 had not filed their claim statement. However, subsequently, the claim as against Claimants 2 and 3, the claim statements were filed. The reference was closed with reference to the 1st claimant.

2. In the claim statement, Claimants 2 and 3 had stated that the 1st claimant, Ganesan, is the original owner of the property in Survey No.19/2,



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measuring 3512 square feet of land, by virtue of Sale Deed dated 21.04.1975. Later, he sold a portion of the property in Survey No.19/2A1B3, 1772 square feet of land to one Mahaveer Jain, who is the 2nd claimant, by virtue of Sale Deed dated 20.07.2000, registered as Document Number 2598/2000.

(ii) The said Ganesan sold the remaining portion of the property in Survey No.19/2A1B3, measuring 1778 square feet of land to the 3rd claimant, Leena Rathore, by virtue of Sale Deed dated 21.06.2007, as Document Number 2597/2000. Thus, the 1st claimant, Ganesan, had sold the entire land measuring 3512 square feet of land to the 2nd and 3rd claimants, and he is not entitled to any portion property as alleged.

(iii) But inadvertently, the first claimant's name is shown as the owner of the property acquired by the petitioner. Therefore, Claimants 2 and 3 are the absolute owners of the property acquired by the Government, and they are in exclusive possession of the property.

(iv) The claimants are entitled for 44.0 square meters of land for the purpose of widening of the road and construction of bridge, pursuant to the award passed. The compensation amount awarded to Claimants 2 and 3 was not paid due to a mismatch in their names, and the petitioner had deposited their



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compensation amount of Rs. 43,21,233/-.

(v) The second claimant's original name is Mahaveer Jain, which had been changed to Mahaveer Kumar Rathore for numerological reasons. All statutory records stand in the name of Mahaveer Kumar Rathore, and he is also operating his bank account in the said name only. Therefore, at the time of enquiry, when the 2nd claimant produced all relevant documents, Passport, Aadhaar card, bank account, PAN card, and other income tax statements to prove that his name has been changed to Mahaveer Kumar Rathore and requested the authorities to issue a cheque in the name of Mahaveer Kumar Rathore and not in the name of Mahaveer Jain, but the petitioners declined to consider his request and deposited the amount in the Court, directing him to approach the Court for suitable remedy. Further, the Tahsildar, Salem, had issued a certificate to that effect that the actual name of the 1st claimant is Mahaveer Kumar Rathore, and the same is produced for perusal.

(vi) Similarly, the 3rd claimant's name is Leena Rathore. After her marriage, she changed her name as Leena Kumari, and all statutory records stand in the name of Leena Kumari. She had also executed an affidavit before a Notary Public to that effect, and the same is produced for perusal. So it has



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become necessary to recognize the name of the 2nd claimant as Mahaveer Kumar Rathore and Leena Kumari, and order for dispersal of the compensation amount in the respective Court.

3. On the basis of the claim statement, the claimants namely Mahaveer Kumar Rathore had filed a proof affidavit, Leena Kumari had filed her Passport, PAN card, own affidavit, TSLR, EC Xerox copy. The 3rd witness is Pannalal Rathore, who had deposed evidence with regard to the name change due to numerology and after marriage of the 3rd claimant. There is no claim from the 1st claimant since he had already sold the property to Claimants 1 and 2. In this regard, a joint memo has been filed by the claimant as well as by the respondent, signed by the counsels concerned, that there is no other dispute regarding the same. Hence, the claimant prays for suitable orders to be passed in this regard.

4. Considering the fact that there is no other rival claim between the parties, this Court is inclined to order for payment of the deposit amount of Rs.43,21,233/- equally to C2 and C3 with accrued interest. Accordingly, the reference is answered.



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In the result, the reference is answered.

(i) Claimants 2 and 3 are equally entitled to the compensation amount of Rs.43,21,233/- deposited in the court with accrued interest.

(ii) Without insisting for a cheque petition being filed, the amount of Rs.43,21,233/- is ordered to be transferred to the account of the Claimants 2 and 3 on receipt of necessary receipt, FS form, and necessary documents with ID proof. This petition is disposed of accordingly.

Dictated to the Steno-Typist, taken by her in shorthand, transcribed and typed by her with the help of voice recorder, and Microsoft 365, corrected and pronounced by me, in the open court, this the 25th day of June - 2026.

**Principal District Judge,
Salem.**

Annexure:-

List of witnesses examined on the side of Claimants:-

C.W.1	Thiru. Mahaveer Kumar Rathore
C.W.2	Tmt. Leena Kumari
C.W.3	Thiru. Pannalal Rathore

List of Exhibits marked on the side of Claimants:-

Ex.C.1	21.04.1975	Sale Deed – Doc.No.1742/1975	Registration Copy
Ex.C.2	20.07.2000	Sale Deed – Doc.No.2598/2000	Original
Ex.C.3	18.09.2019	Certificate issued by Tahsildar, Salem (compared with original)	Xerox Copy
Ex.C.4	--	Passport in the name of Mahaveer	

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		Kumar Rathore (Compared with original)	Xerox Copy
Ex.C.5	--	PAN card in the name of Mahaveer Kumar Rathore (Compared with original)	Xerox Copy
Ex.C.6	16.11.2022	TSLR in the name of Mahaveer Jain	Online Copy
Ex.C.7	08.11.2021	Encumbrance Certificate for the period from 01.06.1995 to 02.11.2021	Online coy
Ex.C.8	--	Aadhaar card of the Mahaveer Kumar Rathore (Compared with original)	Xerox Copy
Ex.C.9	20.07.2000	Sale Deed in the name of Leena Kumari executed by Ganesan in Doc.No.2597/2000	Original
Ex.C10	--	Passport of Leena Kumari (Compared with original)	Xerox Copy
Ex.C.11	--	PAN Card of Leena Kumari (Compared with original)	Xerox Copy
Ex.C.12	12.07.2019	Sworn affidavit of Leena Kumari before the Notary	Original
Ex.C.13	20.04.2017	TSLR in the name of Leena Kumari	True Copy
Ex.C.14	03.11.2022	Encumbrance Certificate for the period from 01.06.1995 to 01.11.2021	Online coy
Ex.C.15	--	Aadhaar card of the Leena Kumari (Compared with original)	Xerox Copy
Ex.C.16	--	Aadhaar card of the Pannalal Rathore (Compared with original)	Xerox Copy
Ex.C.17	25.02.2022	Sale Deed – Doc.No.1471/2022	Online Copy

List of Witness and documents on the side of Respondent:-

- Nil -

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Salem.**

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L.A.O.P.No.169/2019

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Salem.

L.A.O.P.No.169/2019

Draft/Fair Order

Dated : 25.06.2026

25.06.2026

Principal District Judge, Salem.