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ITEM NO.57

COURT NO.12

SECTION XII

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

Civil Appeal No(s). 3438-3440/2008

M/S MADRAS CEMENTS LIMITED

Appellant(s)

VERSUS

STATE OF T.NADU REP.BY SEC.AND ORS.

Respondent(s)

(With appln. (s) for permission to file additional documents and office report)

WITH

C.A. No. 3441-3444/2008

(With APPLN. (S) FOR directions and Office Report)

C.A. No. 3445-3446/2008

SLP(C) No. 29114-29115/2008

(With Interim Relief and Office Report)

C.A. No. 4006-4008/2010

(WITH APPLN. (S) FOR permission to place addl. documents on record)

C.A. No. 3410-3437/2008

(With APPLN. (S) FOR directions and early hearing and Office Report)

SLP(C) No. 2131/2016

(With APPLN. (S) FOR exemption from filing O.T. and permission to file additional documents and Office Report)

SLP(C) No. 1936-1937/2017

(With APPLN. (S) FOR exemption from filing c/c and exemption from filing O.T. and Office Report)

Date : 05/05/2017 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARUN MISHRA

HON'BLE MR. JUSTICE AMITAVA ROY

For the parties:

Mr. Mohan Parasaran, Sr. Adv.

Mr. Nikhil Swami, Adv.

Ms. Divya Swami, Adv.

Ms. Gayathri, Adv.

Mrs. Prabha Swami, Adv.

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In C.A. 3441-44/08 Mr. Guru Krishan Kumar, Sr. Adv.

Mr. Rajat Jariwal, Adv.

Ms. S. Choudhary, Adv.

Mr. Sanjeev Kumar, Adv.

M/s. Khaitan & Co., Adv.

In C.A. 3410-37/08 Mr. Jayant Bhushan, Sr. Adv.

Mr. Rajat Jariwal, Adv.

Ms. Surti Chaudhary, Adv.

Mr. Sanjeev Kumar, Adv.

Mr. P. Narasimhan, Adv.

Mr. J.P. Cama, Sr. Adv.

Mr. Sanjay Kapur, Adv.

Ms. Megha Karnwal, Adv.

Ms. Shubhra Kapur, Adv.,

Mr. B. S. Banthia, Adv.

Mr. Sachin Daga, Adv.

Mr. S. Prasad, AAG

Mr. G. Umapathy, Adv.

Mr. S. Ram subramanian, Adv.

Mr. Aditya Singh, Adv.

Mr. A. Leo G. Rozario, Adv.

Mr. B. Balaji, Adv.

Mr. S. Kumar, Adv.

Mr. Vairawan A.S., Adv.

Mr. V. G. Pragasam, Adv.

Mr. C. D. Singh, Adv.

Ms. Sakshi Kakkar, Adv.

Mr. Preteek Rusia, Adv.

Mr. Mishra Saurabh, Adv.

Mr. Ankit Kr. Lal, Adv.

Ms. Vanshuja Shukla, Adv.

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UPON hearing the counsel the Court made the following
O R D E R

In C.A. Nos. 3438-40, 3441-44 3445-46 and 3410-37 of 2008 AND C.A. Nos. 4006-08 of 2010 and In C.A. Nos. 6862-6863 @ SLP(C)Nos. 29114-29115 of 2008 Leave granted in SLP(C) Nos. 29114-29115 of 2008. Appeals are dismissed in terms of the signed order. Pending application, if any, shall stand disposed of. IN SLP(C) Nos. 2131 of 2016 and 1936-1937 of 2017 These matters be delinked and list on 08.05.2017.

(NEELAM GULATI)

COURT MASTER (TAPAN KR. CHAKRABORTY)

COURT MASTER

(Signed order in In C.A. Nos. 3438-40, 3441-44 3445-46 and 3410-37 of 2008 AND C.A. Nos. 4006-08 of 2010 and In C.A. @ SLP(C)Nos. 29114-29115 of 2008)

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I N THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL No(s). 3438-3440 OF 2008

M/S MADRAS CEMENTS LIMITED

Appellant(s)

VERSUS

STATE OF T.NADU REP.BY SEC.AND ORS.

Respondent(s)

with

CIVIL APPEAL No(s). 3441-3444 OF 2008

with

CIVIL APPEAL No(s). 3445-3446 OF 2008

with

CIVIL APPEAL No(s). 6862-6863 OF 2017

(Arising out of SLP(C) Nos. 29114-29115 of 2008)

with

CIVIL APPEAL No(s). 4006-4008 OF 2010

with

CIVIL APPEAL No(s). 3410-3437 OF 2008

O R D E R

Heard learned counsel for the parties.

Leave granted in SLP(C) Nos. 29114-29115 of 2008.

We find no infirmity in the impugned order passed by the High Court. However, liberty is granted to file application under Section 24 of

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the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 before the High Court or before the appropriate authority as the appellants so desire.

However, its maintainability at the instance of the subsequent purchaser and others shall also be considered in accordance with law. The court may also call for original record pertaining to acquisition.

With the aforesaid liberty, the Appeals are dismissed. Interim order to the effect that if the appellants are in possession shall not be dispossessed is vacated.

.....J.

(ARUN MISHRA)

.....J.

(AMITAVA ROY)

NEW DELHI;

MAY 05, 2017