



ABSTRACT

National Highways – Madurai Division – Sanction a sum of Rs.58,18,059/- as enhanced compensation for LAOP cases No.37/94, 39/94, 40/94, 42/94, 57/95, 65/95, 66/95, 69/95 & 6/10 for acquisition of lands for the construction of Road Over Bridge at NH-7 at Thenur & Samayanallur village, Madurai District-Orders - issued.

Highways and Minor Ports (HV2) Department

G.O.(Ms) No.127

Dated 14.08.2018.

விளம்பி, ஆடி-29, திருவள்ளூர்வராண்டு 2049.

Read:-

- 1 G.O(Ms).No.64, Highways and Minor Ports (HV2) Department, dated 05.06.2014.
- 2 From the Chief Engineer (National Highways), Highways Department, Letter No.5246/SA1/NH/1988, dated 31.08.2017, 20.09.2017, 05.01.2018 and 09.04.2018.
- 3 From the District Collector, Madurai Letter No 45856/2017/B6, dated 28.11.2017 & 20.02.2018.

ORDER:-

In the letter second read above, the Chief Engineer (National Highways), Highways Department has stated that land has been acquired for construction of Road Over Bridge at NH-7 at Thenur and Samayanallur Village, Madurai District.

2. In G.O 1st read above, orders have been issued sanctioning an amount of Rs.1,19,99,243/- towards the enhanced compensation amount for the Land Acquisition Original Petition cases No.9/95, 28/95, 49/95, 59/95, 63/95 & 71/95 for the acquisition of land for construction of Road Over Bridge at NH-7 at Thenur and Samayanallur Village, Madurai District.

3. The Chief Engineer (National Highways), Highways Department has stated that Land Acquisition Original Petition (LAOP) cases were filed for enhanced compensation. 7 LAOP cases (LAOP No.37/94, 39/94, 40/94, 42/94, 65/95, 66/95 and 06/10) were taken on file in the court of third Additional Subordinate Court, Madurai and Judgement were delivered on 02.08.2011 & 04.03.2016. Subsequently, based on the judgement, the Revenue District Officer, Madurai and Divisional Engineer (National

Highways), Madurai have requested him to get sanction of compensation amount of Rs.51,38,755/- and 1,66,870/- from the Government for depositing the same into the third Additional Subordinate Court, Madurai. As per the decree of the court dated 02.08.2011 (LAOP case 37/94, 39/94, 40/94, 42/94, 65/95 & 66/95), the claimant entitled to enhanced compensation of Rs.4500/- per cent for the land acquired along with 30% solatium amount & 12% additional market value calculated from the date of 4(1) notification on 03.02.1990 to the date of award on 02.02.1993 and also the claimant entitled to get 9% interest from the date of 4(1) notification on 03.02.1990 till realization if deposited within one year from this date and in default at the rate of 15% interest from 02.08.2012 to the date of realization. As per the decree of the court dated 04.03.2016 (LAOP case 06/10), the claimant entitled to enhanced compensation of Rs.5000/- per cent for the land acquired along with 30% solatium amount & 12% additional market value calculated from the date of 4(1) notification on 29.11.1989 to the date of award on 02.02.1993 and also the claimant entitled to get 9% interest from the date of award on 02.02.1993 to the date of judgment on 04.03.2016 if deposited within one year from this date and in default at the rate of 15% interest from 04.03.2017 to the date of realization.

4. The Chief Engineer (National Highways), Highways Department has informed that the judgments for 6 LAOP cases have been pronounced in August 2011. But the judgment copy/ decree copy have not been received from Government Pleader. The Additional Government Pleader has been addressed for several times for getting the judgment copy, since the land owners have filed the Execution petition in 2013. The Additional Government Pleader has requested the decree copy of the above LAOP cases to the Hon'ble sub court of Madurai on 13.07.2015 and obtained the copy of the same only on 27.09.2016.

5. The Chief Engineer(National Highways), Highways Department has therefore requested to sanction a sum of Rs.58,18,059/- as enhanced compensation for LAOP cases No.37/94, 39/94, 40/94, 42/94, 57/95, 65/95, 66/95, 69/95 & 6/10, for acquisition of lands for the construction of Road Over Bridge at NH-7 at Thenur & Samayanallur village at the earliest to avoid attachment of properties. The details of the Land Acquisition Original Petition cases are as follows:

SI.No.	LAOP No.	Extent Cent	Enhanced Compensation (Rs.4500/cent)	Solatium 30%	Additional Market value 12%	Total	Less already paid compensation	Balance	9% interest	15% interest	Total
1	2	3	4 (3x4500)	5 (4x0.30)	6	7	8	9	10	11	12
1	37/94	4.94	22230	6669	8002.8	36901.8	5125	31776.80	55751.95	26987.47	114516.20
2	39/94	25.94	116730	35019	42022.8	193771.8	15979	177792.80	311934.94	150996.12	640723.84
3	40/94	50.65	227925	68377.5	82053	378355.5	52534	325821.50	571649.25	276714.10	1174184.85
4	42/94	9.88	44460	13338	16005.6	73803.6	2965	70838.60	124285.33	60161.91	255285.80

5	65/95	53.12	239040	71712	86683.11	144052.71	15935	380871.40	668233.52	323466.99	1372571.91
6	66/95	77.81	350145	105043.5	126052.2	581240.7	48213	533027.70	935189.62	452690.53	1920908.00
										Total	54,78,190.60

Sl.No.	LAOP No.	Extent Cent	Enhanced Compensation (Rs.5000/cent)	Value of structure	Value of well	Value of tree	Total	Soilium 30%	Additional Market value 12%	Total	Less already paid compensation	Balance.	9% interest	15% interest	Total
1	2	3	4					5	6	7	8	9	10	11	12
			(3.705x 5000)					(4x0.30)							
1	57/95	3.705	18525	35078	0	860	54463	16338.9	19606.67	90408.58	63501	26907.58	39728.86	35661.75	102298.19
2	69/95	2.47	12350	57305	0	4000	73655	22096.5	26515.8	122267.3	104329	17938.3	26485.78	23774.39	68198.47
3	6/10	7.00	35000	4948	0	2400	42348	12704.40	16164.17	71216.57	20331	50885.57	110289.25	8197.46	169372.30
													Total		3,39,868.96

6. The Government, after careful consideration, accept the proposal of the Chief Engineer(National Highways), Highways Department and accord sanction for a sum of Rs.58,18,059/- (Rupees fifty eight lakh, eighteen thousand and fifty nine only) including interest till 31.03.2018 as enhanced compensation as per the judgment dated 02.08.2011, 04.03.2016 & 30.06.2018 for the following LAOP cases no.37/94, 39/94, 40/94, 42/94, 65/95, 66/95, 57/95, 69/95 and 6/10 respectively for acquisition of lands for the construction of Road over Bridge at NH-7 at Thenur & Samayanallur Village to avoid attachment of properties. The Chief Engineer (National Highways), Highways Department is also directed to confirm the correctness of the interest calculation and the enhanced compensation amount.

Sl. No (1)	LAOP No. (2)	Name of Claimant (3)	Survey No. (4)	Extent (in cent) (5)	Judgement Date (6)	100% Amount payable (up to 31.03.2018) (7)
1	37/94	Arulsamy	51/1E1	4.94	2.8.2011	114516
2	39/94	Srimathi @ others	106/4B1 etc	25.94	2.8.2011	640724
3	40/94	Rathinammal	106/5B etc	50.65	2.8.2011	1174185
4	42/94	Muthukannu @ Periyakaruppu	102/4B1	9.88	2.8.2011	255286
5	57/95	P.Lourdhusamy	57	3.705	30.6.2008	102298

6	65/95	Gnanapandithan	32/1B	53.12	2.8.2011	1372572
7	66/95	Savarimuthupillai and others	107/3A1 etc	77.81	2.8.2011	1920908
8	69/95	E.Royappan (died)	51/1D2	2.47	30.06.2008	68198
9	6/2010	Annamariyaye (Died)	55/3C1A	7.00	4.3.2016	169372
Total						5818059

7. The amount of Rs.58,18,059/- (Rupees fifty eight lakh, eighteen thousand and fifty nine only) sanctioned in para-6 above shall be debited to the following head of account:-

“L. Suspense and Miscellaneous (C) Other Accounts – 8674.00 Security Deposits made by Government – 101 – Security Deposits made by Government – AB – Security Deposits made with courts”

(DPC 8674-00-101-AB-0004) (Outgo)

8. The above sanctioned amount shall not be disbursed in cash and should be remitted into the Court by a contra credit under the following head of account:-

“K. Deposits and Advances (b) Deposits not bearing interest – 8443 00 – Civil Deposits – 104 – Civil Courts Deposits – AA – Civil Courts Deposits”.

(DPC 8443-00-104-AA-000B) (Receipts)

9. The Chief Engineer (National Highways), Highways Department, Chennai is authorized to draw and deposit the amount sanctioned in para-6 above in to the Court.

10. The Chief Engineer (National Highways), Highways Department is requested to make necessary adjustment in the respective head of account and also pursue further action for getting reimbursement from the Ministry of Road Transport and Highways, Government of India.

11. This order issues with the concurrence of Finance Department vide its U.O. No.38572/PWI/2018, dated 07.08.2018.

(By order of the Governor)

Rajeev Ranjan,
Additional Chief Secretary to Government.

To
The Secretary to Government of India,
Ministry of Road Transport & Highways, New Delhi.

The District Collector, Madurai.
The Chief Engineer (National Highways), Highways Department, Chennai 25.
The Accountant General, Chennai-18.
The Treasury Officer, Madurai.

Copy to:

O/o The Hon'ble Chief Minister, Chennai -9
The Finance (PWI) Department, Chennai-9.
The Private Secretary to Additional Chief Secretary to Government,
Highways and Minor Ports Department, Chennai-9.
C.No.10770/HV2/2017.
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Section Officer.
14/8/18