



Land Acquisition – NH -47 – Kanniyakumari District - LAOP cases filed for enhanced compensation for acquisition of lands in Nalloor and Vilavancode village of Kanniyakumari District for construction of bridge Km-604/4 of National Highways-47 at Kuzhithurai – Judgements delivered – Execution Petition filed by the claimants – Judgements delivered – Sanction of Rs.12,35,470/- - Orders – Issued.

**Highways and Minor Ports (HV2) Department**

**G.O.(Ms) No.61**

**Dated: 28.06.2019.**

**விகாரி, ஆனி-13 , திருவள்ளூர்வராண்டு 2050.**

**Read:**

1. G.O(Ms)No.263, Highways and Minor Ports (HV2)Department, dated 29.10.2008
2. G.O(Ms)No.3, Highways and Minor Ports (HV2)Department, dated 10.01.2012
3. G.O(Ms)No.180, Highways and Minor Ports (HV2)Department, dated 31.10.2013
4. G.O(Ms)No.27, Highways and Minor Ports (HV2)Department, dated 10.02.2016
5. G.O(Ms)No.73, Highways and Minor Ports (HV2)Department, dated 04.05.2016
6. G.O(Ms)No.111, Highways and Minor Ports (HV2)Department, dated 01.11.2016
7. Letter(Ms)No.113, Highways and Minor Ports (HV2)Department , dated 14.11.2016
8. G.O(Ms)No.46, Highways and Minor Ports (HV2)Department, dated 27.03.2018.
9. From the District Collector, Kanniyakumari District at Nagercoil Letter No.E2/37533/2018, dated 14.11.2018, Letter No.E2/37534/2018, dated 14.11.2018 Letter No.E2/37535/2018, dated 14.11.2018 and Letter No.E2/37537/2018, dated 14.11.2018 , 07.02.2019.

**ORDER:-**

In the letter ninth read above, the District Collector, Kanniyakumari District @ Nagercoil has stated that, an extent of 1.46.02 hectares of land in T.S.Nos. C3/2-2, 3&C3/14 of Nalloor Revenue Village and T.S.No.A4/8,9,10etc., B6/30,32, etc of Vilavancode Revenue Village in Vilavancode Taluk of Kanniyakumari District were acquired under the provision of the Land Acquisition Act, 1894 for the construction of new bridge at Km-604/4 of National Highways-47 at Kuzhithurai as per Revenue

Divisional Officer, Padmanabhapuram award No.1/95-96, dated 30.5.1995. The land owners had received the compensation under protest. 32 land owners have filed LAOP cases before the Sub Court, Kuzhithurai. Out of 32 cases, 3 cases were dismissed and remaining 29 cases were awarded with enhanced compensation, the Court passed an order on 27.06.2006 enhancing the land value, etc. The Revenue Divisional Officer, Padmanabhapuram had filed CMA before Madurai Bench of Madras High Court with application to condone delay and the petition was dismissed directing to pay entire award amount to the respondents / land owners within 3 months from the date of receipt of the orders, failing which, Court would pass appropriate orders. The land owners have filed E.P.No. 3/2007 in LAOP 22/97 , E.P.No. 4/2007 in LAOP 17/97, E.P.No.12/2007 in LAOP 3/97 and E.P.No. 18/2012 in LAOP 32/97 before Sub Court, Kuzhithurai for the realization of enhanced compensation amount.

2. The details of the enhanced compensation which have been sanctioned in various G.Os are mentioned as below:-

Sl. No	LAOP Nos.	Amount paid as per G.O. (M.S) No.263 H & M P (HV2) Dept.dt. 29.10.2008	Amount paid as per G.O. (M.S) No.180 H& M P (HV2) Dept. dt. 31.10.2013	Amount paid as per G.O. (Ms) No.73 H& M P (HV2) Dept. dt. 04.05.2016	Amount paid as per G.O. (Ms) No.46 H& M P (HV2) Dept. dt. 27.3.2018	50% of enhanced compensation sanctioned in G.O(Ms) No.3, H& M P (HV2) Dept. dated 10.01.2012	#As per G.O (Ms) No.27, H& M P (HV2) Dept., dated 10.02.2016 * G.O (Ms) No.111, H& M P (HV2) Dept. dated 01.11.2016	Total [3+4+5+6 +7+8]
		(Rs.)	(Rs.)	(Rs.)	(Rs.)	(Rs.)	(Rs.)	(Rs.)
1	2	3	4	5	6	7	8	9
1	3/97	891738	938524	-	50069	-	-	1880331
2	4/97	961851	729877	336446	---	-	#1,93,724	2221898
3	14/97	865371	822601	-	136762	-	-	1824734
4	16/97	1253426	1176162	-	213406	-	-	2642994
5	17/97	595777	659824	-	664	-	-	1256265
6	22/97	386336	366026	-	62173	-	-	814535
7	24/97	348171	332574	-	53413	-	-	734158
8	32/97	811592	763238	-	136502	-	-	1711332
9	1/97	2052757	-	-	2275714	-	-	4328471
10	5/97	756764	-	-	838961	-	-	1595725
11	6/97	1090514	-	-	1208958	-	-	2299472
12	7/97	1038362	-	-	1151135	-	-	2189497
13	9/97	1836871	-	-	2036381	-	-	3873252
14	10/97	774467	-	-	858583	-	-	1633050
15	11/97	453188	-	-	502407	-	-	955595
16	13/97	847059	-	-	939059	-	-	1786118
17	15/97	518641	-	-	574974	-	-	1093615
18	23/97	375325	-	-	416091	-	-	791416

Sl. No	LAOP Nos.	Amount paid as per G.O. (M.S) No.263 H & M P (HV2) Dept.dt. 29.10.2008	Amount paid as per G.O. (M.S) No.180 H& M P (HV2) Dept. dt. 31.10.2013	Amount paid as per G.O. (Ms) No.73 H& M P (HV2) Dept. dt. 04.05.2016	Amount paid as per G.O. (Ms) No.46 H& M P (HV2) Dept. dt. 27.3.2018	50% of enhanced compensation sanctioned in G.O(Ms) No.3, H& M P (HV2) Dept. dated 10.01.2012	#As per G.O (Ms) No.27, H& M P (HV2) Dept., dated 10.02.2016 * G.O (Ms) No.111, H& M P (HV2) Dept. dated 01.11.2016	Total [3+4+5+6 +7+8]
		(Rs.)	(Rs.)	(Rs.)	(Rs.)	(Rs.)	(Rs.)	(Rs.)
1	2	3	4	5	6	7	8	9
19	25/97	438213	-	-	485812	-	-	924025
20	26/97	379038	-	-	420208	-	-	799246
21	28/97	1322491	-	-	1466136	-	-	2788627
22	29/97	1292379	-	-	1432751	-	-	2725130
23	31/97	223071	-	-	266785	-	-	489856
24	12/97	2291664	-	-	-	-	*2404199	4695863
25	18/97	-	433817	-	-	421403.50	-	855220.50
26	20/97	-	114551	-	-	111265.50	-	225816.50
27	27/97	-	106082	-	-	103026	-	209108
28	30/97	-	516343	-	-	501522	-	1017865
<b>Total</b>		21805066	6959619	336446	15526944	1137217	25,97,923	48363215

3. The District Collector, Kanniyakumari District @ Nagercoil has stated that, amounts are sanctioned with respect to calculation as on 03.11.2008. The Hon'ble Court has insisted on calculation of interest payable u/s 28 of the Act up to date. In the meantime, the decree holder has filed a calculation memo before Hon'ble Court, arriving at a balance amount. The Hon'ble Sub Judge, Kuzhithurai has passed order on 6.07.2018 stating that, there is balance as on 06.07.2018 and the same has to be deposited within 2 months. The break-up details of the court order are as follows:-

Sl. No.	LAOP No.	E.P.No.	Decree holder	Amount to be deposited as per Court order
1.	17/97	4/2007	Thiru.Thangamoni	Rs.46,000/-
2.	32/97	18/2012	Thiru.Harris Nadar	Rs.4,62,000/-
3.	3/97	12/2007	Tmt. C.Vasanth Kumari	Rs.2,75,000/-
4.	22/97	3/2007	Tmt. S.Grace	Rs.4,52,470/-
			<b>Total</b>	<b>Rs.12,35,470/-</b>

4. As the Sub Court has insisted that this will be one final settlement, the District Collector, Kanyakumari District @ Nagercoil has requested to sanction a sum of Rs.12,35,470/- for E.P.No.3/2007 in LAOP.22/97, E.P.No.4/2007 in LAOP.No. 17/97, E.P.No.18/12 in LAOP No.32/97 and E.P.No.12/2007 in LAOP. No.3/97 towards balance amount of interest payable as per order of Hon'ble Sub Court, Kuzhithurai on 6.07.2018.

5. The Government, after careful consideration, have decided to accept the proposal of the District Collector, Kanniyakumari District at Nagercoil and accordingly, sanction is accorded for a sum of Rs.12,35,470/- (Rupees Twelve lakh thirty five thousand four hundred and seventy only) towards balance amount of interest payable as per order of Hon'ble Sub Court, Kuzhithurai on 6.07.2018 for acquisition of land for the construction of bridge at Kuzhithurai at Km.604/4 in National Highways 47 are as follows:-

Sl. No.	LAOP No.	E.P.No.	Decree holder	Amount to be deposited as per Court order
1.	17/97	4/2007	Thiru.Thangamoni	Rs.46,000/-
2.	32/97	18/2012	Thiru.Harris Nadar	Rs.4,62,000/-
3.	3/97	12/2007	Tmt. C.Vasantha Kumari	Rs.2,75,000/-
4.	22/97	3/2007	Tmt. S.Grace	Rs.4,52,470/-
			<b>Total</b>	<b>Rs.12,35,470/-</b>

6. The expenditure sanctioned in Para-5 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 - 802 – outgo – 02 – Not bearing Interest"  
 Old - (DPC: 8674-00-101-AB-0004)  
 IFHRMS (DPC: 8674-00-101-AB- 80202)

The above sanctioned amount shall not be paid in cash and credited in to 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". 801 – Receipts – 02 – Not bearing Interest."  
 Old - (DPC: 8443-00-104-AA-000B)  
 IFHRMS (DPC: 8443-00-104-AA-80102)

7. The Chief Engineer (National Highways), Chennai is authorized to draw and deposit the amount in Sub Court, Kuzhithurai.

8. The Chief Engineer (National Highways), Highways Department, Chennai-25 is directed 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.

9. This order issues with the concurrence of Finance Department vide its U.O.No.20743/Fin.(PW1)/2019, dated 28.06.2019.

(By order of the Governor)

S.K.Prabakar  
Additional Chief Secretary to Government (FAC)

To

The Chief Engineer (National Highways), Highways Department,  
Chennai-600025.

The District Collector, Kanniyakumari @ Nagercoil.

The Divisional Engineer (National Highways), Nagercoil.

(Thro' Chief Engineer (National Highways), Highways Department, Chennai – 25)

The District Revenue Officer, Kanniyakumari District.

The Secretary to Government of India, Ministry of Road Transport and Highways,  
Transport Bhavan, New Delhi-110001.

The Accountant General, Chennai-18.

The Pay and Accounts Officer (East), Chennai – 35/8.

The Treasury Officer, Nagercoil.

Copy to:-

The Additional Special Personal Assistant to Hon'ble Chief Minister,  
Chennai-600 009.

The Private Secretary to Additional Chief Secretary to Government (FAC),  
Highways and Minor Ports Department, Chennai-600 009.

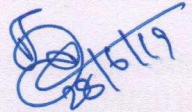
The Finance (PW.1) Department, Chennai-600 009.

C.No.16439/HV2/2018

SF/SC.

// Forwarded By Order //

H. Sankararathnam  
28.6.19  
Section Officer

  
28/6/19