



புதுச்சேரி மாநில அரசிதழ்

La Gazette de L'État de Poudouchéry

The Gazette of Puducherry

PART - I

சிறப்பு வெளியீடு

EXTRAORDINAIRE

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அதிகாரம் பெற்ற
வெளியீடு

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GOVERNMENT OF PUDUCHERRY
DIRECTORATE OF SCHOOL EDUCATION
(SECRETARIAT WING)

(G.O. Ms. No. 49, Puducherry, dated 01st March 2023)

ORDER

Whereas, land measuring to an extent of 444-01-78 HAC at Kalapet and Pillaichavady Revenue Villages was acquired for establishment of Central University (Phase-I to V) and compensation was awarded to the landowners by the Land Acquisition Officer, CULAW. Subsequently, the rate of compensation was enhanced on the basis of the orders of the Hon'ble Principal District Judge and paid to the landowners/petitioners.

2. And whereas, the Land Acquisition Officer has redetermined the enhanced compensation but the interest, under section 34 of the Land Acquisition Act, 1894, for the enhanced compensation was not paid to the landowners. Aggrieved by the order of the Land Acquisition Officer, the landowners have filed Writ Petitions before the Hon'ble High Court, Madras, praying to issue directions to pay interest for the enhanced rate.

3. And whereas, the Hon'ble High Court had allowed the Writ Petitions and passed order, dated 13-04-1999 with direction to pay the interest to the respective petitioners. Further, the Department has filed a Writ Appeal on the file of the Hon'ble Division Bench of the High Court of Judicature at Madras.

4. And whereas, the Hon'ble Court *vide* Order, dated 08-07-2009 had also dismissed the Writ Appeals and affirmed the order of the Hon'ble Single Judge. Further, against the judgment of the Hon'ble Division Bench, the Department has again filed Civil Appeal Nos.1622-1631, 1632-1641 and 1642-1643 of 2018 by way of Special Leave Petitions to appeal before the Hon'ble Supreme Court of India.

5. And whereas, the Hon'ble Supreme Court, *vide* Order, dated 11-07-2018, in Civil Appeal Nos. 1622-1631 of 2018, 1632-1641 of 2018 and 1642-1643 of 2018 arising out of S.L.P. Nos. 4689-4698 of 2012, 20089-20098 of 2012 and 21043 - 21044 of 2012, has passed judgment that the landowners are entitled for payment of interest as per section 34 of the Land Acquisition Act, 1894 on excess of compensation awarded for the land acquired for establishment of Central University, Puducherry.

6. And whereas, the review petitions filed by the Education Department before the Hon'ble Supreme Court of India against the order were also dismissed. Hence, the respondents (*i.e.*, landowners) in the above Civil Appeals were paid interest on excess of compensation by the proceedings of the Land Acquisition Officer, CULAW. The Hon'ble Court has also passed order directing the petitioners to submit representations along with calculation memo to the Land Acquisition Officer.

7. And whereas, the petitioners have submitted their representations along with the calculation memo to the Land Acquisition Officer, CULAW for their settlement. The Land Acquisition Officer has summoned the petitioners and conducted enquiry. Subsequently, the Land Acquisition Officer has ordered the proceedings for issue of statutory interest to the enhanced compensation. Accordingly, expenditure sanction have been obtained *vide* G.O. Ms. No. 40, dated 12-10-2020, G.O. Ms. No. 16, dated 23-08-2021, G.O. Ms. No. 43, dated 31-03-2022 and G.O. Ms. No. 34, dated 27-10-2022 of the Under Secretary (School Education) to Government of Puducherry.

8. And whereas, on the lines of the above, various landowners had filed Writ Petitions and approached the Hon'ble High Court of Madras during January 2010 to September 2022 for payment of statutory interest for the enhanced compensation and were paid the interest amount on the enhanced compensation value after adopting due procedures. On these lines, 19 other similar such Writ Petitioners were also directed to file representations for consideration by the Land Acquisition Officer. The Land Acquisition Officer has summoned these petitioners in the 19 Writ Petitions and conducted enquiry. Subsequently, the Land Acquisition Officer has decided on merits to extend the benefit of payment of statutory interest which works to ₹ 20,30,611 to the petitioners in the 19 Writ Petitions and passed orders accordingly.

9. And whereas, the Director of School Education, Puducherry, has submitted a proposal *vide* I.D. No. 143/DSE/CULAW/2022, dated 22-12-2022 of the Director of School Education, Puducherry, seeking expenditure sanction with permission for advance drawal for ₹ 20,30,611 (Rupees twenty lakh thirty thousand six hundred and eleven only) towards payment of statutory interest for the enhanced compensation to be paid to the petitioners in 19 Writ Petitions under section 34 of the Land Acquisition Act, 1894 in respect of the land in Pillaichavady and Kalapet Revenue Villages acquired for establishment of Central University.

10. Now, therefore, sanction of the Lieutenant-Governor, Puducherry, is hereby accorded for incurring of an expenditure not exceeding ₹ 20,30,611 (Rupees twenty lakhs thirty thousand six hundred and eleven only) towards payment of statutory interest to the land owners on the enhanced compensation as detailed in the Annexure to this Government Order.

11. Sanction of the Lieutenant-Governor, Puducherry, is also accorded for the drawal of the entire amount sanctioned in para (10) above in advance by the Drawing and Disbursing Officer, Directorate of School Education, Puducherry, subject to rendering of accounts with Directorate of Accounts and Treasuries, Puducherry, within one month from the date of drawal of advance.

12. The expenditure is debitable to the Head of Account "4202 – Capital Outlay on Education, Sports, Art and Culture – 01 - General Education - 01/202 – Secondary Education - 01/202(01) Middle and Secondary Education, 01/202 (01)(01) - Puducherry Region – (53) Major Works (Charged)" in the current year's budget.

13. This issues with the concurrence of the Finance Department, Puducherry, *vide* their I.D. No. 2080/FC/FD/F4/A4/2022-23, dated 24-02-2023.

(By order of the Lieutenant-Governor)

F.P. VERBINA JAYARAJ,
Under Secretary to Government (School Education).

ANNEXURE

Sl. No	Writ Petition No./Year	Name of the land owner	Name of the land owner/ Legal Heirs of the landowner / Power Agent entitled to receive the interest	Net Enhanced compensation paid to the land owner u/s.24A (in ₹)	Net Statutory interest Payable u/s.34 (in ₹)
1	185/2022	Kaliammal (late) W/o.Kuppusamy	<u>Legal Heirs:</u> i) Coulosegarane (late)(son) Legal heirs : Tmt.Priyanga & Selvan,Ragul, ii)Atchoudane (son) & iii)Tamilselvi (daughter)	47,022.00	89,103.00 (Payable to the legal heirs at i) to iii) in equal shares)
2	187/2022	Ramalingam S/o.Darmasivam	Ramalingam S/o.Darmasivam	32,918.00	63,162.00
3	600/2022	Ranganathan S/o.Darmasivam	Ranganathan S/o.Darmasivam	71,396.00	1,40,073.00
4	601/2022	Thilagavathi D/o.Rajaram	Thilagavathi D/o.Rajaram	78,336.00	1,50,341.00
5	7169/2021	Govindan (late) S/o.Nadesan	<u>Legal Heirs:</u> i) Boomadevi (wife), ii) Janakiraman (son), iii)Anbajagane (son), iv)Vasantha (daughter) & v) Gunasekaran (son)	74,460.00	1,28,336.00
6	7171/2021	Vijayarangam (late)	<u>Legal Heirs:</u> i) Andjalai Ammal (Wife) ii) Loganadane (Son) iii) Gnanamurthy (Son) iv) Aroumougame (Son) v) Kichettanamourty(Son) vi) Ravy (Son) <u>Power Agent:</u> Aroumougame	68,359.00	1,42,992.00 (Payable to the power agent of the legal heirs)
7	7197/2021	Raman @ Ramu Naidu	Raman @ Ramu Naidu	43,495.00	74,966.00
8	7199/2021	Salambal (late) W/o.Srinivasan	<u>Legal Heir:</u> Govindarajalu	27,871.00	29,700.00 (Payable to the legal heir)
		Govindarajalu S/o.Srinivasan	Govindarajalu	27,871.00	29,700.00
9	7201/2021	Kuppammal W/o.Bakthavatchalam	Kuppammal W/o.Bakthavatchalam	30,969.00 28,905.00	33,001.00 30,802.00
10	7306/2021	Arumugam S/o.Nadesan	Arumugam S/o.Nadesan	47,029.00	1,00,114.00
11	7309/2021	Adhilakshmi W/o.Sivalingam	Adhilakshmi W/o.Sivalingam	75,871.00	1,32,982.00
12	7313/2021	Saraswathi W/o.Elumalai	<u>Power Agent:</u> Danasegarane	24,012.00	51,106.00 (Payable to the power agent)
13	10623/2021	Irusappan (late) S/o.Natesan	<u>Legal Heirs:</u> i) Devagi (wife), ii) Arumugam (son), iii)Shanmugam (son), iv)Ravi (son), v) Sivagandhi (daughter)& vi)Latha (daughter) <u>Power Agent:</u> Devagi	17,548.00	18,764.00 (Payable to the power agent of the legal heirs)
14	10664/2021	Pandurangan (late) S/o.Govindasami	<u>Legal Heirs:</u> i) Govindaraju (son), ii) Manicandan (Son), iii) Muralidharan (son), iv) Santhalakshmi (daughter)	1,40,104.00	2,41,478.00 (Payable to the legal heirs in equal shares)

15	10830/2021	Boopalan (late) S/o.Appadurai	<u>Legal Heirs:</u> i) Ranchitam (wife), ii) Sivaramane (son), iii)Souprayane (son), iv)Mounissamy (son), v) Pitcheammalle(daughter)& vi)Chandran (son) <u>Power Agent:</u> Souprayane	87,432.00	85,929.00 (Payable to the power agent of the legal heirs)
		Rajamanickam (late) S/o. Manjini	<u>Legal Heirs:</u> i)Kaliammal (wife) & ii)Mandjiny (son) <u>Power Agent :</u> Manjiny		85,929.00 (Payable to the power agent of the legal heirs)
16	11029/2021	Anbazhagan S/o.Sevaraj	Anbazhagan S/o.Sevaraj	58,325.00	62,176.00
17	11033/2021	Nayagam (late) W/o.Kalappan	<u>Legal Heir:</u> Gajendran	34,893.00	67,367.00 (Payable to the legal heir)
18	12744/2021	Kuppusamy (late) S/o.Ramasamy	<u>Legal Heirs:</u> i) Muthalu (mother), ii)Singaram (wife), iii)Valli (daughter) & iv)Mariamma (daughter). <u>Power Agent:</u> Valli	17,548.00	18,764.00 (Payable to the power agent of the legal heirs)
19	5605/2010	Rajaram (late) S/o.Vaithilingam	<u>Legal Heirs:</u> i) Sagoundala (wife) ii)Kiroupa (daughter) iii)Djeassilane (son) iv)Tilagavady (daughter) v) Latha @ Gandhimathi & vi)Ashokcoumar @ Albert Bertin Vaity (share not claimed) <u>Power agent of Kiroupa :</u> Sagoundala	1,43,610.00	2,53,826.00 (1/6th share excluded) (Payable to the legal heirs at i) to v) in equal shares)
				Total	20,30,611.00

(Rupees twenty lakh thirty thousand six hundred and eleven only)