



W.P.No.12549 of 2016 etc.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 18.09.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.Nos. 12549, 15850 to 15854, 15856, 15857, 16040, 16041, 16043,
16044, 16046, 16429, 16430 to 16436, 17046 to 17048, 17051 to 17053,
22158, 22159, 22160, 22161, 22164, 22165, 22166, 22605, 22607,
22608, 22612, 22741, 22742, 22743, 22745, 22746, 22934, 22935,
22936, 22938, 22939, 22940, 24929 to 24932, 24934, 24935, 24936,
24938, 25622 to 25625, 25820 to 25824, 38840 of 2016,
8337 to 8341, 15954, 15955, 23947, 23948, 32778, 32779 of 2017
1632 of 2018 and
W.M.P.Nos.13758 to 13762, 13764, 13765, 13865, 13866, 13868, 13869,
13871, 14203, 14196 to 14202, 14534, 14535, 14536, 14539, 14540,
14541, 18900 to 18903, 18906 to 18908, 19285, 19287, 19288, 19292,
19434, 19435, 19436, 19438, 19439, 19642, 19643, 19644, 19646,
19647, 19648, 21302 to 21305, 21308, 21309, 21310, 21312, 21971 to
21974, 22108 to 22112, 33292 of 2016
9105 to 9109, 15884, 15886, 15887, 15888, 25223, 25224, 36111,
36112 of 2017 & 2049 of 2018

W.P.No.12549 of 2016 :-

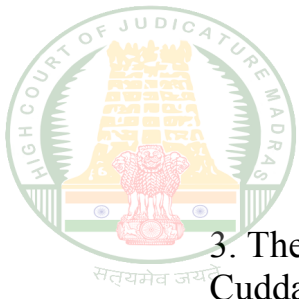
The Secretary,
Corporate Office,
Neyveli Lignite Corporation Limited,
Neyveli – 607 801.

...Petitioner

-Vs-

1. The Special Tahsildar No.3,
Land Acquisition,
Neyveli – 607 802.

2. Subramanian



W.P.No.12549 of 2016 etc.

3. The District Collector,
Cuddalore District.

R3 Suo Motu impleaded as per
order dated 18.06.2018 in
W.P.No.15949 of 2016

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, calling for the records of the first respondent pertaining to the impugned reference in Ref.A/18/2015 dated 07.01.2015 and quash the same as illegal and contrary to Section 18 of the Act, 1894.

For Petitioners

For Petitioner : Mr.T.R.Rajagopalan,
in all W.Ps. Senior Counsel
For Mr.N.Nithianandam

For Petitioner
in W.P.Nos.15954 &
15955 of 2017 : Mr.S.Vediappan

For Respondents

For R1 & R3 in W.P.No.
12549 of 2016 &
For R1 in all W.Ps. : Mr.T.Arun Kumar
Additional Government Pleader

For R2 in W.P.Nos.15857,
16044, 16046, 16430, 17046, 17053,
22158, 22605, 22608, 22940, 22935, : Mr.S.Thirumavalavan
22936, 22938, 24932, 25834, 25821,
25822, 38840 of 2016



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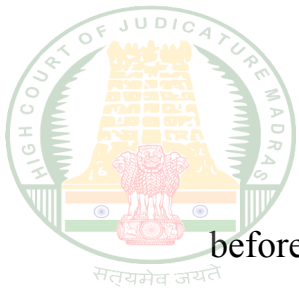
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For R2 in W.P.Nos.125449,
15850-15854, 15856, 16040, 16041,
16043, 16429, 16431-16436, 17051,
17052, 17047, 22159, 22160, 22161,
22164-22166, 22607, 22612, 22741,
22742, 22743, 22745, 22746, 22934, : Mr.V.Anand
22939, 24929-24931, 24934-24936,
24938, 25622-25625, 25820, 25823
of 2016, 8337-8341, 32778, 32779
of 2017 & 1632 of 2018

COMMON ORDER

These writ petitions have been filed for challenging the order passed by the first respondent dated 07.01.2015 thereby referred the award for enhancement of compensation under Section 18(1) of the Land Acquisition Act, 1894 (hereinafter referred to as “the old Act”).

2. The petitioner company has involved in mining activity and generation of power. Therefore, it requires larger extent of land in and around Neyveli. Accordingly, the petitioner had initiated proceedings to acquire the land of the claimants. On receipt of the notice under Section 12(2) of the Act, the respective claimants raised objections and protested to receive the award amount. Subsequently, they made representations for enhancement of compensation. Considering their representations, the third respondent referred the award for enhancement of compensation



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before the Subordinate Court, and numbered as Land Acquisition

Original Petitions.

3. While pending the trial, the petitioner filed application under Order VII Rule 11 of the Civil Procedure Code, for rejection of the claim. It was rejected by the trial Court on the ground that in the enhancement of compensation petition, the rejection of plaint is not maintainable. Aggrieved by the same, the petitioner preferred Civil Revision Petitions and the same were dismissed as withdrawn. At that time of passing order, this Court observed that the petitioner should have challenged the reference in the manner known to law. Without doing so, the petitioner filed application for rejection of plaint under Order VII Rule 11 of C.P.C. Therefore, the petitioner once again filed these writ petitions challenging the very same reference made by the first respondent under Section 18(1) of the Act, on the ground that the respective claimants raised their objections and the same were referred for enhancement of compensation belatedly.

4. Section 18(2) of the Act provides only six weeks time to make a representation for enhancement of award amount from the date of



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award. Section 18(2)(b) says that in other cases, within six weeks of the receipt of the notice from the Collector under section 12, sub-section (2), or within six months from the date of the Collector's award, whichever period shall first expire. However, the claimants made representations after the period of six months and as such the first respondent ought not to have made any reference under Section 18(1) of the Act for enhancement of the compensation amount.

5. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

6. While pending the writ petitions, some of the writ petitions were referred before Lok Adalat for amicable settlement between the petitioner and the claimants. Accordingly, the petitioner enhanced the compensation to certain extension and the same was agreed and accepted by the claimants. One of the award of the Lok Adalat award is extracted hereunder :-



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"W.P.NO.15855 of 2016"

The Secretary

Corporate Office,

Neyveli Lignite Corporation Limited

Neyveli – 607 801.

.. Petitioner

/versus/

1.The Special Tahsildar No.3

Land Acquisition, Neyveli.

2.Senthil Kumar

.. Respondents

This case is taken up for settlement before this Lok Adalat. Both the parties are present. Mr.N.Nithianandam, learned counsel for the petitioner and Mr.V.Prabhu, learned Government Advocate for the first respondent are present. After mutual discussion, negotiation, mediation and conciliation between both parties, they arrived at a compromise to settle the matter as follows:

TERMS OF SETTLEMENT

Challenging the impugned reference dated 05.05.2015 sent by the first respondent under Section 18(1) of the Land Acquisition Act to the Court concerned, the present writ petition came to be filed by the petitioner/Management.

2.During the pendency of this writ petition, the second respondent/claimant has come forward with a settlement with the petitioner/management and has agreed to receive a sum of Rs.29,64,000/- per Hectares and the same has also been accepted by the petitioner/management. Accordingly, both the parties have entered into a memo of compromise on 14.12.2019, as per which, it is unequivocally agreed between the parties that after deducting the sum already received from the Land Acquisition officer, the second respondent/claimant/land owner is entitled to and agreed to receive Rs.1,11,612/- as full and final settlement of all claims



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relating acquisition of the subject property. Consequently, the said amount has been received by the second respondent/claimant by way of cheque bearing No.401003 dated 14.12.2019 drawn on Indian Bank, Neyveli and the same has been duly acknowledged by him vide receipt dated 14.12.2019. A memo of compromise entered into between the parties has also been filed to that effect.

3.In view of the above, this writ petition stands disposed of in terms of the aforesaid memo of compromise. The Memo of compromise dated 14.12.2019 signed by both the parties, shall form part of this order. Consequently, connected miscellaneous petition is closed.

*The Secretary, Corporate Office,
Neyveli Lignite Corporation Limited
Neyveli – 607 801.*

Counsel for Petitioner

*1.The Special Tahsildar No.3
Land Acquisition, Neyveli.*

2.Senthil Kumar *Counsel for Respondents*

This Lok Adalat award is passed in terms of the above settlement.

The full Court fee paid shall be refunded to the appellant in the manner provided under Section 69-A of the Tamil Nadu Court-Fees and Suits Valuation Act, 1955 and the Court Fees Act, 1870 as provided for under sub Sec.1 of Section 21 r/w 25 of LSA Act 1987 as amended in 1994.”

In the terms of the above awards, the petitioner and the claimants are agreed to go before the Lok Adalath of the trial Court.



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7. In view of the above, the trial Court is directed to refer all

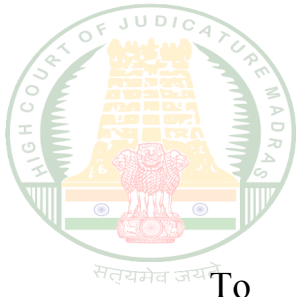
the LAOPs of the respective claimants before the Lok Adalat of the trial Court. The petitioner and the respective claimants shall co-operative with the Lok Adalat proceedings and complete the same within a period of eight weeks from the date of the reference before the Lok Adalat. It is made clear that this Court passed the above Lok Adalat award considering the value of the respective lands. Therefore, the Lok Adalat of the trial Court is directed to follow the same procedure and pass award.

8. With the above directions, all the Writ Petitions stand disposed of. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

18.09.2025

Index : Yes/No
Neutral Citation : Yes/No
Speaking/Non Speaking order

rts



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To
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1. The Sub Court under
Land Acquisition Cases.
Cuddalore.
2. The Special Tahsildar No.3,
Land Acquisition,
Neyveli – 607 802.
3. The District Collector,
Cuddalore District.



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W.P.No.12549 of 2016 etc.

G.K.ILANTHIRAIYAN. J.

rts

W.P.Nos. 12549, 15850 to 15854, 15856, 15857, 16040, 16041, 16043, 16044, 16046, 16429, 16430 to 16436, 17046 to 17048, 17051 to 17053, 22158, 22159, 22160, 22161, 22164, 22165, 22166, 22605, 22607, 22608, 22612, 22741, 22742, 22743, 22745, 22746, 22934, 22935, 22936, 22938, 22939, 22940, 24929 to 24932, 24934, 24935, 24936, 24938, 25622 to 25625, 25820 to 25824, 38840 of 2016, 8337 to 8341, 15954, 15955, 23947, 23948, 32778, 32779 of 2017 1632 of 2018

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