



Writ Petition No.11563 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.04.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.11563 of 2025

V.Pazhaniammal (died)

W/o.Late P.Velusamy by LR's of claimants 1 to 5

1.V.Sundaram

S/o.Late P.Velusamy

2.V.Selvi

D/o. Late P.Velusamy

Shanthi (died)

D/o.Late P.Velusamy by LR's of claimants 6 to 10

3.V.Venkatesan,

S/o. Late P. Velusamy

4.Vasanth,

D/o. Late P.Velusamy

5.Vijaya,

D/o.Late P.Velusamy

6.K.Sakthivel,

S/o. Karuppaiya

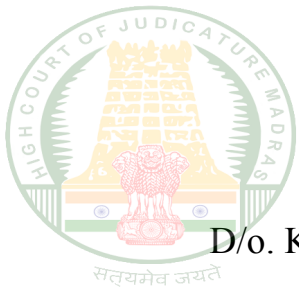
7.S.Arun,

S/o.K.Sakthivel

8.S.Jothi Vellaiyappan

D/o.K.Sakthivel

9.S.Vellaiammal,



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D/o. K.Sakthivel

WEB CO 10.S.Karuthapandian,
S/o.K. Sakthivel

Petitioners

Vs

1. The Special Tahsildar (Land Acquisition) Unit I,
Outer Ring Road Project,
Chennai Metropolitan Development Authorities,
Egmore, Chennai-08,
Now having office at
K.M.M.C.Building, Koyambedu Market,
Koyambedu, Chennai-92.

2.The Member Secretary
Chennai Metropolitan Development Authorities,
Egmore, Chennai-08.

3.The District Collector,
Kancheepuram.
[R3 *suo motu* impleaded as per order dated
08.04.2025 by this Court]

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the respondents to consider the pay the petitioners' enhanced compensation of Rs.10,200/- per cent with all other benefits in the light of the decree and judgement dated on 02.09.2022 passed by the Subordinate Judge, Kancheepuram in the above LAOP No.1 of 2016 with all other benefits.

For Petitioner : Mr.J.Ram

For Respondents : Mr.A.Selvendran
Special Government Pleader [R1&R3]
Mr.R.Thamaraiselvan,
Standing Counsel [R2]

ORDER

The District Collector, Kancheepuram, is *suo motu* impleaded



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as third respondent in this writ petition. Mr.A.Selvendran, learned Special

Government Pleader, takes notice for the impleaded third respondent.

2. This writ petition has been filed seeking issuance of a writ of mandamus directing the respondents, particularly, the impleaded third respondent to consider the application submitted by the petitioners on 21.07.2023 wherein the petitioners are seeking for enhanced compensation based on the order passed by the Reference Court in L.A.O.P.No.1 of 2016, dated 02.09.2022.

3. Heard Mr.J.Ram, learned counsel for petitioners, Mr.A.Selvendran, learned Special Government Pleader appearing for respondents 1 & 3 and Mr.R.Thamaraiselvan, learned Standing Counsel appearing for second respondent.

4. The case of the petitioners is that their lands were acquired and some of the land owners, who were not satisfied with the compensation fixed by the first respondent sought for reference before the civil Court. Accordingly, the matter was referred and it was dealt with by the Sub-Court, Kancheepuram, in L.A.O.P.No.136 to 139, 155, 203 to

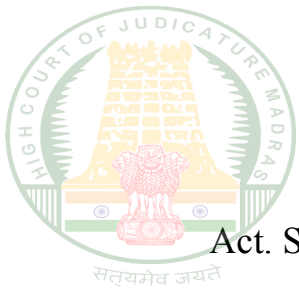


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209, 218 to 224, 239 and 241 of 2009. The Reference Court, by judgment dated 22.04.2010, enhanced the compensation from Rs.600/- per cent to Rs.12,000/- per cent. An appeal was preferred before this Court in A.S.Nos.199 to 219 of 2011 and this Court modified the compensation amount from Rs.12,000/- to Rs.10,200/-.

5. The further case of the petitioners is that the Government acquired other lands in the same village from other land owners. The compensation was fixed at Rs.1,482/- per cent by the first respondent. Based on the protest made by one Sivakumar, the matter was referred to the Subordinate Court, Kancheepuram, in L.A.O.P.No.1 of 2016. The Subordinate Court, Kancheepuram, by judgment dated 02.09.2022, enhanced the compensation from Rs.1,482/- to Rs.10,200/- per cent following the judgment of this Court in the previous appeal where such compensation amount was determined.

6. The petitioners submitted an application before the impleaded third respondent on 21.07.2023 to pay the enhanced compensation amount in line with Section 28-A of the Land Acquisition



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Act. Since the same was not acted upon, the present writ petition has been filed before this Court.

7. Learned counsel for the petitioners submitted that the lands of the petitioners is also covered under the same acquisition and therefore, the enhanced compensation fixed by the Reference Court should be made applicable to the petitioners also. To substantiate his submission, learned counsel relied upon the judgment of the Apex Court in *Narendra and others v. State of Uttar Pradesh and others [(2017) 9 SCC 426]*.

8. Taking into consideration the facts and circumstances of the case and considering the materials placed before this Court and taking note of the judgment of the Apex Court in the case of *Narendra*, referred supra, there shall be a direction to the impleaded third respondent to act upon the application submitted by the petitioner on 21.07.2023 and pass appropriate orders enhancing the compensation in line with the order

N.ANAND VENKATESH, J

gm
passed in L.A.O.P.No.1 of 2016 by the Subordinate Court,
Kancheepuram, dated 02.09.2022, within a period of eight (8) weeks



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from the date of receipt of a copy of this order.

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This writ petition is disposed of with the above direction. No

costs.

08.04.2025

Note:

Registry is directed to carry out necessary amendment in all the concerned records.

Neutral Citation: Yes/No

Index: Yes/no

Speaking Order/Non-Speaking Order
gm

To

1. The Special Tahsildar (Land Acquisition) Unit I,
Outer Ring Road Project,
Chennai Metropolitan Development Authorities, Egmore, Chennai-08,
Now having office at
K.M.M.C.Building, Koyambedu Market, Koyambedu, Chennai-92.

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