

Writ Petition No.13594 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 22.04.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.13594 of 2025

1.C.Comathy
W/o.Chandran

2.C.Shakila
W/o.Rajmohan

3.R.Vedhavally
W/o.Radhakrishnan

4.R.Lakshmi
W/o.Ramamurthy

5.I.Saraswathy
W/o.Ilango

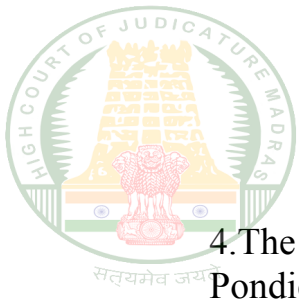
Petitioners

Vs

1. The Government of Puducherry,
Rep By Its Chief Secretary,
Puducherry 605 001.

2.The Deputy Collector (Revenue)
I Floor, New Revenue Complex,
Vazhudavoor Road, Pettaiyanchathiram,
Puducherry 605 009.

3.The Deputy Collector (Revenue) South
cum Land Acquisition Officer,
Villianur, Puducherry 605 001.



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4.The Managing Director,
Pondicherry Industrial Promotion
Development And Investment
Corporation (PIPDIC),
No.60, Romain Rolland Street,
White Town, Puducherry - 605 001.

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the 2nd respondent to re-determine the compensation awarded to the petitioners' lands acquired at Karasur Revenue Village in Award No.2/2008 to a sum of Rs.21,261/- per Are based on the application under section 28A of the Land Acquisition Act, 1894 dated 22.03.2019 and the representation dated 07.06.2024 pursuant to the enhanced compensation award passed in LAOP No.110 of 2012 on the file of II Additional District Judge, Puducherry.

For Petitioners : Mr.V.Rajesh Babu

For Respondents : Mr.A.Tamilvanan
Additional Government Pleader (P)

ORDER

This writ petition has been filed seeking issuance of a writ of mandamus directing the second respondent to act upon the application submitted by the petitioners on 22.03.2019 under Section 28-A of the Land Acquisition Act, 1894 and to re-determine the compensation based on the enhancement of compensation made in L.A.O.P.No.110 of 2012 by the II Additional District Judge, Puducherry.

2. Heard Mr.V.Rajesh Babu, learned counsel for petitioners



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and Mr.A.Tamilvanan, learned Additional Government Pleader (P)

appearing for respondents.

3. The land belonging to the petitioners was acquired for setting up a Special Economic Zone. The urgency clause was invoked. 80% of the compensation was paid in advance as per the mandate under Section 17(3A) of the Land Acquisition Act. Thereafter, an award was passed in Award No.2 of 2008 on 25.01.2008. Not being satisfied with the quantum of compensation awarded, some of the land owners preferred an application under Section 18 of the Land Acquisition Act and the matter was referred to the II Additional District Judge, Puducherry. By an order dated 01.12.2018, the compensation amount was enhanced. In view of the same, the petitioners submitted an application before the second respondent under Section 28-A of the Land Acquisition Act seeking for enhancement of compensation. Since the same was not acted upon, the present writ petition has been filed before this Court.

4. Taking into consideration the facts and circumstances of the



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case and considering the fact that the petitioners also fall within the same acquisition proceedings and the compensation has been enhanced for the other land owners and taking note of the latest judgment of the Apex Court in *Banwari and others v. Haryana State Industrial and Infrastructure Development Corporation Limited and another [Civil Appeal No.13348 of 2024, dated 10.12.2024]* wherein the Apex Court has held that where the compensation is enhanced for other land owners on the reference made under Section 18(1) of the Land Acquisition Act, 1894, the same has to enure in favour of the other land owners, who are covered under the same notification, there shall be a direction to the first respondent to deal with the application made by the petitioners on 22.03.2019 and appropriate orders shall be passed within a period of eight (8) weeks from the date of receipt of a copy of this order.

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

22.04.2025

Neutral Citation: Yes/No
Index: Yes/no
Speaking Order/Non-Speaking Order
gm

To

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N.ANAND VENKATESH, J



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