



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.02.2025

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.37502 of 2016
and
W.M.P.No.32135 of 2016

D.Jayakumar Charles

.. Petitioner

Vs.

- 1.Union of India,
Rep by Secretary,
National Highways Department,
New Delhi.
- 2.National Highways Authority of India,
Rep. by its Project Director,
In charge of NH 4 & NH – 46,
Vellore District,
Vellore – 632 009.
- 3.The District Collector,
Sathuvachari,
Vellore – 632 012.
- 4.The Competent Authority (L.A.) cum
Special District Officer,
Land Acquisition (NH – 4 & NH – 46),
Vellore District,
Vellore – 632 009.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India
praying to issue a Writ of Mandamus directing the fourth respondent to
grant compensation under the Repealed Land Acquisition Act, 1894 as



amended under Sections 23 (1-A), 23(2), 28 and other provisions of the said Act as declared in Civil Appeal No.129 to 159 of 2014 by the Apex Court dated 21.07.2016 in Union of India and Others -Vs- T.Chakrapani and others pertaining to petitioner lands measuring to an extent of 436 sq.mts or 4693 sq.ft with trees and super structures in S.No.199/3A at Devadamam Village, H/o Vannivedu, Vellore, Vellore District – 632 513.

For petitioner : Mr.Vinod Paul Tyagaraj David
For RR 1 & 2 : Mr.SU.Srinivasan
Standing Counsel
For RR 3 & 4 : Mr.A.Selvendran
Special Government Pleader

ORDER

This writ petition has been filed for the issue of writ of mandamus directing the 4th respondent to grant compensation under the Repealed Land Acquisition Act, 1894 as amended under Sections 23 (1-A), 23(2), 28 and other provisions of the said Act.

2.In the case in hand, the petitioner is seeking for 30% solatium and 12% additional interest in line with the judgment of the Hon'ble Supreme Court in the case of *Union of India and another Vs. Tarsem Singh and others* reported in [2019 (9) SCC 304].



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3.The law on this issue is now too well settled by means of various orders passed by this Court. In the recent order that was passed in a clarification petition filed by Union of India in Miscellaneous Application No.1773 of 2021 in Civil Appeal No.7064 of 2019 dated 04.02.2025 the Hon'ble Supreme Court has reiterated the same position as was held in *Tarsem Singh* case.

4.In the light of the above discussion, there shall be a direction to the petitioner to make a fresh representation to the 4th respondent seeking for the payment of 30% solatium and 12% additional interest and on receipt of the representation, the 4th respondent shall pay the compensation amount to the petitioner within a period of six (6) weeks from the date of receipt of the representation from the petitioner.

5.In the result, this Writ Petition is disposed of with the above directions. Consequently, the connected Miscellaneous Petition is closed.

No costs.

25.02.2025

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Index : Yes / No

Internet : Yes / No

Neutral Citation : Yes / No



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N.ANAND VENKATESH, J.

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To

- 1.Union of India,
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