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W.P.No. 18690 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.02.2025

CORAM:

THE HONOURABLE Mr. JUSTICE N. ANAND VENKATESH

W.P.No. 18690 of 2021

M. Ravikumar

... Petitioner

vs

1. The District Collector,
Office of the Collector,
Thiruvallur District.
2. The State of Tamil Nadu,
Represented by Secretary to Government,
Industries Department,
Fort St. George,
Chennai 600 009.
3. The Special Tahsildhar (LA)
Aromatic (Complex) Project,
Saidapet, Chennai 600 015.
5. The Tahsildar,
Office of the Tahsildhar,
Madhavaram, Madhavaram Taluk,
Chennai 600 060

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ, order or direction in the nature of Writ of Mandamus to direct the 1st respondent to consider the representation of the petitioner dated 04/03/2021 to fix the compensation under Section



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28A of the Land Acquisition Act in respect of the survey numbers at 176/1 A1, 176/3 A1, 87/1A, 87/1B, 92/1, 92/2A, 92/2, 147/1C, 147/4 and 174/2 in consonance with the value of compensation fixed for survey number 91/1C in Mathur Village, Madavaram Taluk, Thiruvallur District within the time frame fixed by this Hon'ble Court.

For Petitioner : Mr. G. Surya Narayanan

For Respondents : Mr. M.R.Gokul Krishnan
Additional Government Pleader

ORDER

This Writ Petition has been filed for the issue of Writ of Mandamus directing the first respondent to consider the representation made by the petitioner on 04.03.2021 wherein the petitioner is seeking for enhancement of compensation under Section 28A of the Land Acquisition Act, 1894 (herein after referred to as the "Act") with respect to the subject properties based on the compensation that was enhanced for the other owners in the LAOP proceedings, which was subsequently confirmed in an appeal.

2. Heard Mr. G. Surya Narayanan, learned counsel for the petitioner and Mr. M.R.Gokul Krishnan, learned Additional Government



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Pleader for the respondents.

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3. The lands belonging to the petitioner was acquired and the petitioner originally had a grievance that no notice was given to the petitioner right through. In view of the same, the petitioner was not even aware about the passing of the Award and there was no occasion for the petitioner to seek for a reference before the Court. Ultimately, the petitioner came to know about the enhancement of compensation given by the reference court, which was confirmed in the appeal. In view of the same, the petitioner has sought for enhancement of compensation under Section 28A of the Act.

4. It will be relevant to take note of the judgment of the Hon'ble Apex Court in *Narendra and Ors. Vs. The State of Uttar Pradesh and Ors* reported in *(2017) 9 SCC 426*, wherein it has been held that where the compensation amount has been enhanced for the adjacent owners, even without making an application, the said benefit has to be given to all the other owners who fall within the same acquisition.



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5. In view of the above, there shall be a direction to the first respondent to deal with the representation made by the petitioner on 04.03.2021 and pass final orders within a period of three months from the date of receipt of a copy of this order.

6. This Writ Petition is disposed of with the above directions. No costs.

13.02.2025

Internet : Yes / No

Index: Yes / No

Speaking order / Non speaking order

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N. ANAND VENKATESH, J.

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