



W.P.No.23950 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 19.09.2025

CORAM:

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

W.P.No.23950 of 2019

C.Sridharan

... Petitioner

-Vs-

1. The Government of Puducherry,
Represented by its Secretary to Government,
Department of Revenue and Disaster Management,
Puducherry.
2. The Collector,
Collectorate,
Karaikal, Puducherry.
3. The Deputy Collector (Revenue),
Land Acquisition Officer,
Office of the Sub-Collector,
Karaikal.

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to fix 30.12.2013 being the date of taking possession of the property as the date of determination of market value of the land measuring an extent of 0.43.90 hec. comprised in Ward - D, Block - 4, T.S.No. 2/2/2 is 0.06.67 and T.S.No.2/3/2 is 0.16.03 and T.S.No. is 2/7/2 is 0.21.20 of Kovilpathu Village and disburse the compensation in accordance with law.

For Petitioner : Mr.J.Rajmohan



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For Respondents : Mr.V.Vasanthakumar
Additional Government Pleader (Pondy)

ORDER

This writ petition has been filed for direction directing the respondents to fix 30.12.2013 being the date of taking possession of the property as the date of determination of market value of the land measuring an extent of 0.43.90 hec. comprised in Ward - D, Block - 4, T.S.No. 2/2/2 is 0.06.67 and T.S.No.2/3/2 is 0.16.03 and T.S.No.2/7/2 is 0.21.20 of Kovilpathu Village and disburse the compensation in accordance with law.

2. Heard the learned counsel on either side and perused the materials available on record.

3. The petitioners land were acquired for the purpose of formation of western by-pass road from Keezhakasakudy to Neravy through Thalatheru Kovilpathu, Karaikal, Dharmapuram, Oduthurai and Akkaraivattam villages of Karaikal District during 2010-2011. Under the Land Acquisition Act, 1894, the Award was passed prior to the execution of Land Acquisition Amended Act, 1984 by inserting the provisions of sub-sections 3, 3A and 3B in Section 17. However, it was challenged before this Court. Subsequently, the new Act came into force viz., The Right to Fair Compensation and Transparency in Land



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Acquisition, Rehabilitation and Resettlement Act, 2013 reckoning that the average sale value taking into account the sale deeds and agreements to sell registered for similar type of area in the near village or near vicinity area during immediately preceding three years of the year in which such acquisition land is proposed to be made. Pursuant to the said Act, the first respondent framed the Puducherry Right to Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Rules (Amendment) 2017.

4. Accordingly, under Section 4 of the Land Acquisition Act, 1894, the date of determination of the value shall be the date on which such notification was issued. The said Rule was challenged before this Court and the same was struck down by the Hon'ble Division Bench of this Court in W.P.No.12980 of 2020 dated 02.03.2021. Aggrieved by the same, the respondents preferred an appeal in SLP No.6288 of 2023 before the Hon'ble Supreme Court of India and obtained an interim order and it is pending for adjudication. Therefore, the request made by the petitioner seeking compensation as per the New Act cannot be considered, since the issue is now pending before the Hon'ble Supreme Court of India.

5. In view of the above, the writ petition is devoid of merits and is liable



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to be dismissed. However, the petitioner is at liberty to make a request for

compensation to be fixed under the New Act subject to the result of SLP

No.6288 of 2023.

6. Accordingly, this writ petition stands dismissed. No costs.

19.09.2025

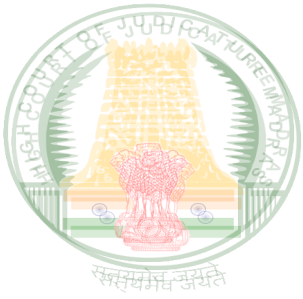
Internet: Yes

Index : Yes/No

Neutral Citation: Yes/No

Speaking/Non Speaking order

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- To
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The Government of Puducherry,
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G.K.ILANTHIRAIYAN. J.

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