



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-10-2025

CORAM

THE HONOURABLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 28969 of 2025

AND

WMP NO. 32499 OF 2025, WMP NO. 32500 OF 2025

1.P.S.Kumar

No.53, Jublee Road, West Mambalam,
Chennai-33.

2.P.Chandrsekar

No.53, Jublee Road, West Mambalam,
Chennai-33.

3.G.Senthamarai Selvi

Rep. By Their Power Agent,
S.Gunasekara Pandian, No.53, Jublee
Road, West Mambalam, Chennai-33.

4.S.Gunasekara Pandian,

No.53, Jublee Road, West Mambalam,
Chennai-33.

Petitioner(s)

Vs

1.The District Collector

Kancheepuram District, Kancheepuram.



2.The Special Tahsildar Sipcot,
Irungattukottai Expansion Scheme,
Door No.13a, C.S.I. School Lane,
Nehru Street, Sriperumbudur.

3.The Secretary,
Revenue Department, Secretariat,
Fort St. George, Chennai-600 009.

Respondent(s)

PRAYER:-Writ Petition filed under Article 226 of the Constitution of India, praying for an issuance of Writ of Certiorarified Mandamus, calling for the records relating to the impugned reference order passed for the first respondent in Ref. No.RC. 32/2012 dated 19.02.2024 by quashing the same and further directing the first respondent to refer the dispute for determination of compensation under the New Act namely Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Tamil Nadu Amendment) Act, 2014 for the acquisition of the petitioners land comprised in Survey Nos.44/2A, 44/2B, 44/3A, 44/3B, 44/3C, 44/4, 44/5, 44/6, 44/7A, 44/7B, 44/9A, 44/9B, 44/9C, 44/10, 44/11, 44/12, 44/13, 44/14, 45/1A, 45/16, 45/1C, 45/2, 45/3, 45/5, 45/6A, 45/6B, 45/4, 46A/5, 54A/2A, 54A/3E, 46A/1, 46A/2, 46A/3, 46A/4A(Pt), 46A/4B (Pt), 46A/6, 54A/1A, 54A/1B, 54A/1C, 54A/3A(Pt), 54A/3B, 54A/3C, 54A/3D, 23/7B, 24/1, 24/2, 25/8, 25/9 and 21A/2 to an extent of 27.53 1/2 acres in Pillaipakkam Village, Sriperumbudur Taluk by sending the reference letter to the Jurisdictional District Court.



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For Petitioner(s): Mr.V.Nallasenapathy

For Respondent(s): Mr.P.Sathish
Additional Government Pleader

ORDER

This writ petition has been filed by the petitioner challenging the impugned reference order passed by the 1st respondent in Ref.No.RC. 32/2012 dated 19.02.2024.

2.Learned counsel for the petitioner would submit that the reference order in RC.No.32/2012 dated 19.02.2024 has been passed by the 1st respondent directing the Sub-Judge, Kancheepuram to take the petitioner's case for determination of compensation on file and dispose of the same. As per the reference order dated 19.02.2024, the Land Acquisition Original Petition was numbered as LAOP.No.7 of 2024 on the file of the Subordinate Court, Kancheepuram.



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3.He would further submit that as per Section 53 (a) of the Right to Fair Compensation and Transparency in land Acquisition, Rehabilitation and Resettlement (Tamil Nadu Amendment) Act, 2014, the appropriate Authority to determine the compensation is jurisdictional District Judge and therefore, the matter has to be referred only to the Principal District Court, Kancheepuram. Hence, he prayed to quash the impugned reference order dated 19.02.2024 with a direction to the 1st respondent to refer the matter to the Principal District Court, Kancheepuram.

4.Learned Additional Government Pleader appearing for the respondents would fairly submit that the reference order was made to the Sub-Judge, Kancheepuram instead of Principal District Judge, Kancheepuram. Hence, he prayed to pass appropriate orders to Sub-Judge, Kancheepuram to transfer Land Acquisition Original Petition in LAOP.No.7 of 2024 to the Principal District Court, Kancheepuram.



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5. Heard the learned counsel for the petitioner as well as the learned Additional Government Pleader appearing for the respondents and perused the materials available on record.

6. Considering the submissions made by the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents, it is evident that the reference order dated 19.02.2024 was passed by the 1st respondent to the Sub-Judge, Kancheepuram to take the petitioner's case for determination of compensation on file and dispose of the same. However, as per Section 53 (a) of the Right to Fair Compensation and Transparency in land Acquisition, Rehabilitation and Resettlement (Tamil Nadu Amendment) Act, 2014, the appropriate Authority to determine the compensation is jurisdictional District Judge and the reference has to be made only to the Principal District Court, Kancheepuram. Hence, this Court directs the Sub-Judge, Kancheepuram to transfer the LAOP No.7 of 2024 to the



Principal District Court, Kancheepuram, within a period of three weeks from the date of receipt of a copy of this order. In which case, the Principal District Judge, Kancheepuram is directed to take the LAOP.No.7 of 2024 on record and pass appropriate orders, on merits and in accordance with law.

7. With the above directions, this writ petition is disposed of. No costs.

Consequently, connected miscellaneous petitions are closed.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To

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KRISHNAN RAMASAMY J.

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