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W.P.No.39862 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.11.2025

CORAM:

THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

W.P.No.39862 of 2025
and W.M.P.No.44775 of 2025

1.S.Gurumoorthy

2.S.Babu

... Petitioners

Vs.

1.The District Collector,
Tirupur District,
Tirupur – 641 604.

2.The Special District Revenue Officer/
Land Acquisition Officer, Highways,
The Campus of the Tahsildar (South)
Coimbatore – 641 018.

3.The Special Tahsildar,
Land Acquisition, Highways Division-IV,
Chikkanna College Road, Tiruppur – 641 602.

4.The Divisional Engineer (Highways),
Construction and Maintenance,
Chikkanna College Road,
Tiruppur – 641 602.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India,
for issuance of Writ of Mandamus directing the 1st and 2nd respondents
herein to settle the compensation amount mutually agreed under Section
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19(2) of the Tamil Nadu Highways Act, 2001, and as found in the statement of declaration obtained from the petitioner pertaining to the acquisition of our lands to an extent of 4694 Sq.meters in S.F.No.169/1B3 and 1818 Sq.metres in S.F.No.174/1 of P.Vadugapalayam Village, Palladam Taluk, Tiruppur District, in respect of formation of a link road from Km 2/700 of Palladam-Cochin-Frontier road (SH 163) to Km 2/200 of Palladam-Dharapuram Road (SH 174A) in Palladam Taluk, Tirupur District.

For Petitioners : Mr.Suthrith Parthasarathy

For Respondents 1 to 4 : Mr.M.Suresh Kumar,
Additional Advocate General
Assisted by,
Mr.P.Sathish,
Additional Government Pleader

ORDER

This writ petition has been filed to direct the 1st and 2nd respondents herein to settle the compensation amount mutually agreed under Section 19(2) of the Tamil Nadu Highways Act, 2001, and as found in the statement of declaration obtained from the petitioner pertaining to the acquisition of petitioners' lands to an extent of 4694 Sq.meters in S.F.No.169/1B3 and 1818 Sq.metres in S.F.No.174/1 of P.Vadugapalayam Village, Palladam Taluk, Tiruppur District, in respect of formation of a link road from Km 2/700 of Palladam-Cochin-Frontier road (SH 163) to Km 2/200 of Palladam-Dharapuram Road (SH 174A) in Palladam Taluk, Tirupur District.

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2. Learned counsel for the petitioners submitted that the petitioners are the joint owners of the lands situated in S.Nos.169/1B3 and 174/1 to an extent of 1.66 hectares and 1.89 hectares. Whereby, the second respondent intend to acquire 6512 sq.mts of the aforesaid land for the formation of a link road from Dharapuram Road (SH 174A). Thereafter, a mutually agreed compensation was arrived at by the respondents and the petitioners have also accepted the same. However, the said compensation was not yet paid to the petitioners. Under these circumstances, without considering the aforesaid settlement, now, the second respondent had issued a fresh notice dated 25.09.2025 to the petitioners and other neighbouring land owners to reassess the compensation, which results in a substantial reduction of compensation. Hence, the petitioners have come forward with the present writ petition.

3. It is the contention of the learned counsel for the petitioners that while determining the compensation to the similarly placed persons, the respondents have applied the multiplier of 2.75% + 25%, whereas for the petitioners herein, the respondents have determined the compensation by applying the multiplier of 2.25% without 25%. In support of such contention, the learned counsel referred to the law laid down by the

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Hon'ble Supreme Court in the case of *Narendra and others Vs. State of*

U.P. And others reported in (2017) 9 SCC 426. If the said law is applied in the present case, nobody is deprived of equal rights, otherwise it will amounts to discrimination against the petitioners. Thus, by averring so, the learned counsel prays for re-determination of compensation, on par with the similarly placed persons.

4. Learned Additional Advocate General appearing for the respondents would fairly admitted that in the light of the law laid down by the Hon'ble Supreme Court, in the case of *Narendra and others (cited supra)*, the petitioners are entitled for re-determination of compensation, as that was ordered to the similarly placed persons and therefore, submits that any order passed by this Court in that regard would be complied with.

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

6. The petitioners have filed the present writ petition for re-determination of compensation by applying the multiplier of 2.75% + 25%, as they are entitled, as per law. When the said multiplier of 2.75%



along with 25% is applied for similarly placed persons, the respondents have determined the compensation to the petitioners by applying the multiplier of 2.25%, that too, without adding 25%, which clearly amounts to discrimination, as law laid down by the Hon'ble Apex Court, in the case of *Narendra and others (cited supra)*. In this connection, it would be apposite to refer to the relevant para from the said decision, which is extracted hereunder:-

“In order to ensure that the landowners are given proper compensation, the Act provides for “fair compensation”. Once such a fair compensation is determined judicially, all landowners, whose land was taken away by the same notification should become the beneficiary thereof. Not only it is an aspect of good governance, failing to do so would also amount to discrimination by giving different treatment to the persons though identically situated. On technical grounds, like the one adopted by the High Court in the impugned judgment, this fair treatment cannot be denied to them.”

7. A reading of the above decision makes it clear that, in the event of determining the compensation, the respondents have to apply the same yardstick for all the land owners of the State, either, it is by virtue of acquisition or they are going for private negotiation by virtue of the sale deed. Therefore, the petitioners are required to be considered that, they



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are also similarly placed persons and the compensation has to be re-determined by applying the multiplier of 2.75% + 25%.

8. In view of the above, the respondents are directed to re-determine the compensation payable to the petitioner by applying the multiplier of 2.75% + 25%, by taking into consideration of the law laid down by the Hon'ble Supreme Court, in the case of *Narendra and others Vs. State of U.P. and others* reported in (2017) 9 SCC 426. It is also made clear that the said law would apply not only for acquiring the lands by virtue of issuing notification, but also for the private acquisition.

With the aforesaid observation and direction, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is also closed.

20.11.2025

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Index: Yes/No

Internet: Yes/No

Speaking Order/Non-speaking order



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KRISHNAN RAMASAMY, J.

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