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W.P.Nos.43217 & 43220 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 14.11.2025

CORAM

THE HON'BLE Mr. JUSTICE KRISHNAN RAMASAMY

W.P.Nos.43217 & 43220 of 2025
& WMP.Nos.48392 & 48395 of 2025

Abhayakumar

...Petitioner in WP.No.43217 of 2025

S.Vimalkumar

... Petitioner in WP.No.43220 of 2025

Vs.

1. The Special Tahsildar,
Land Acquisition Unit-i,
Outer Ring Road Project Phase-i,
Kmmc Complex,Koyambedu,
Chennai 600107

2. The Member Secretary
Chennai Metropolitan Development
Authority, Chennai 600 008

... Respondents in both petitions

Common Prayer:

Writ Petition filed under Article 226 of the Constitution of India
praying to issue a Writ of Certiorarified Mandamus,

calling for the records of impugned order passed by the 1st
respondent herein vide proceeding No.OO.Moo.No.672/2025/
Ve.Va.Paa.The, dated 26.09.2025 and quash the same as illegal and
consequently direct the respondents to re-determinate the compensation



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payable to the petitioner under section 28-A of the Land Acquisition Act, 1894 on par with enhanced compensation awarded by the honble Sub-Judge, Kancheepuram in L.A.O.P. No.22 of 2015 (24 Batch cases) on 01.09.2018 and confirmed by the honble high court madras in A.S.No.333 of 2021 (24 Batch cases) on 07.01.2022 with all consequential and statutory benefits

calling for the records of impugned order passed by the 1st respondent herein vide proceeding No.OO.Moo.No.673/2025/Ve.Va.Paa.The, dated 26.09.2025 and quash the same as illegal and consequently direct the respondents to re-determinate the compensation payable to the petitioner under section 28-A of the Land Acquisition Act, 1894 on par with enhanced compensation awarded by the honble Sub-Judge, Kancheepuram in L.A.O.P. No.22 of 2015 (24 Batch cases) on 01.09.2018 and confirmed by the honble high court madras in A.S.No.333 of 2021 (24 Batch cases) on 07.01.2022 with all consequential and statutory benefits

For Petitioner
in both petitions : Mr.R.Sathiamoorthy

For Respondent
in both petitions : Mr.P.Sathish, AGP for R1
Mr.V.Sudalai Selvan, St.counsel for R2

COMMON ORDER



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These writ petitions have been filed challenging the impugned proceedings of the 1st respondent dated 26.09.2025.

2. Mr.P.Sathish, learned Additional Government Pleader, takes notice on behalf of the 1st respondent. Mr.V.Sudalai Selvan, learned Standing counsel, takes notice on behalf of the 2nd respondent.

3. By consent of the parties, the main writ petitions have been taken up for disposal in the admission stage itself.

4. The learned counsel for the petitioners would submit that in these cases, the petitioners are the absolute owners of the subject properties, which were acquired vide Notification dated 06.08.2001 for forming the Outer Ring Road. Subsequently, the award was passed on 05.09.2003, by fixing the compensation at Rs.898.55 per cent. Thereafter, the petitioner came to know that for similarly placed land owners, the compensation was enhanced from Rs.898.55 to Rs.19,120/- per cent vide the order passed by LAOP Court. The said order was also



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confirmed by this Court vide judgement dated 07.01.2022 and accordingly, the compensation amount was paid to the similarly placed land owners. Hence, the petitioners herein had filed their applications under Section 28A, seeking for re-determination of compensation at par with the aforesaid similarly placed land owners. However, the said applications were rejected by the respondents vide impugned proceedings dated 26.09.2025. Hence, this petition.

5. In reply, the learned Additional Government Pleader appearing for the respondents would submit that in these cases, by wrongly exercising the provisions, the petitioners had filed their applications before the 1st respondent instead of District Collector and hence, the course adopted by the petitioner is not correct.

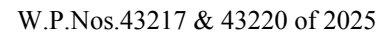
6. Further, he would submit that if any representation was made by the petitioners before the District Collector, the same will be considered and compensation will be enhanced at par with the similarly placed land owners as per the judgement of this Court. Hence, he requests this Court to pass appropriate orders.



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7. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents and also perused the entire materials available on record.

8. In the cases on hand, the petitioners are the absolute owners of the subject properties, which were acquired vide Notification dated 06.08.2001 for forming the Outer Ring Road. Subsequently, the award was passed on 05.09.2003, by fixing the compensation at Rs.898.55 per cent. Thereafter, the petitioners came to know that for similarly placed land owners, the compensation was enhanced from Rs.898.55 to Rs.19,120/- per cent vide the order passed by LAOP Court and the compensation amount was paid to the similarly placed land owners. Hence, the petitioners herein had filed their applications under Section 28A, seeking for re-determination of compensation at par with the aforesaid similarly placed land owners. However, the said applications were rejected by the respondents vide impugned proceedings dated 26.09.2025.



10. In view of the above, the petitioners are directed to file their applications, under Section 28A of the Land Acquisition Act, 1894, before the concerned District Collector. Upon filing of such applications, the concerned District Collector is directed to consider the same and re-determine the compensation at par with the similarly placed land owners as awarded by the Sub-Court Kancheepuram and confirmed by this Court in AS.No.333 of 2021 batch.

11. With the above directions, these writ petitions are disposed of.
No cost. Consequently, the connected miscellaneous petitions are also closed.



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Speaking/Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

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To

1. The Special Tahsildar,
Land Acquisition Unit-i,
Outer Ring Road Project Phase-i,
Kmmc Complex,Koyambedu,
Chennai 600107

2. The Member Secretary
Chennai Metropolitan Development
Authority, Chennai 600 008



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KRISHNAN RAMASAMY.J.,

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