



WEB COPY

WP No. 46090 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-12-2025

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THE HON'BLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY

WP No. 46090 of 2025

Devendra Estates LLP,
(Now known as M/s. Shasun Enterprises LLP)
Represented by its Director and Authorised
Signatory, Deepak. A., S/o Abhayakumar,
No. 27, Mylai Ranganathan Street,
T. Nagar, Chennai 600 017.

..Petitioner

Vs

1.The Special Tahsildar, Land Acquisition Unit I,
Outer Ring Road Project Phase – I,
KMMC Complex, Koyambedu,
Chennai 600 107.

2.The District Collector, Kancheepuram District,
Kancheepuram.

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

..Respondents



Prayer : Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus calling for the records of impugned order passed by the 1st respondent herein vide proceeding No. Oo. Mu. No. 670/ 2025 / Ve. Va Ba. Thi dated 26.09.2025 and quash the same as illegal and consequently direct the respondents to redetermine the compensation payable to the petitioner under Section 28-A of the Land Acquisition Act, 1894 on par with enhanced compensation awarded by the Hon'ble Sub-Judge, Kancheepuram in L.A.O.P. No.163 of 2009 on 01.09.2018 and confirmed by the Hon'ble High Court Madras in A.S. No. 504 of 2021 (batch cases) on 27.01.2022 with all consequential and statutory benefits.

For Petitioner: Mr.R.Sathiamurthy for M/s. SVV Law Firm

For Respondents: Mr.P.Sathish, AGP for R1 & R2
Mr.V.Sudalai Selvan for R3/CMDA

ORDER

The petitioner's land was acquired pursuant to the notification under Section 4(1) of the Land Acquisition Act, 1894 (Act, 1894) dated 06.08.2001. The Award No.5/2003 dated 22.05.2003 was issued in respect thereof, fixing the market value at Rs.600/- per cent. According to the petitioner, several other



land owners, whose lands were acquired under the same notification and covered by Award no.5/2003, sought reference under Section 18 of the Act, 1894 before the Hon'ble Subordinate Judge, Kancheepuram. The relevant LAOPs were allowed by awarding enhanced compensation, and the judgment was confirmed by this Court in appeal suits under common judgment dated 27.01.2022. Relying thereon, the petitioner had submitted representation dated 31.03.2022 under Section 28A of the Act, 1894. The order impugned herein was issued in those facts and circumstances.

2. Referring to the impugned order, learned counsel for the petitioner submits that it is contrary to Section 28A of the Act, 1894, as interpreted by the Hon'ble Supreme Court.

3. Mr.P.Sathish, learned Additional Government Pleader, accepts notice for respondents 1 & 2. In all fairness, he placed on record the order of this Court in W.P.No.42691 of 2025 dated 11.11.2025 granting relief in similar circumstances. He also points out that the judgment of the Hon'ble Supreme



Court in *Narendra and others v. State of U.P. and others*, (2017) 9 SCC 426

(*Narendra*) was relied on therein.

4. On perusal of order dated 11.11.2025 in W.P.No.42691 of 2025, it is evident that the petitioner herein is placed in a substantially similar position. In the said order, by citing *Narendra* and extracting the relevant paragraph, impugned order was set aside. I find that the judgment is squarely applicable to the facts of the present case. Therefore, impugned order dated 26.09.2025 of the first respondent is set aside and the matter is remanded for fresh consideration of the petitioner's request for enhanced compensation. After providing a reasonable opportunity to the petitioner, the first respondent shall pass a fresh order within six weeks from the date of receipt of a copy of this order. In course of reconsideration, the earlier order of this Court and the judgment of the Supreme Court in *Narendra* shall be taken into consideration.

SENTHILKUMAR RAMAMOORTHY, J.

KJ



5. The writ petition stands disposed of on the above terms. There will be no order as to costs.

02-12-2025

(2/2)

Index : Yes/No

Internet: Yes/No

Neutral Citation : Yes/No

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