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AS No. 392 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON :	17.03.2026
PRONOUNCED ON :	20.04.2026

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THE HON'BLE MR.JUSTICE K.KUMARESH BABU

**AS No. 392 of 2016
and
CROS.OBJ NO. 34 OF 2017
and
CMP NO. 8908 OF 2016**

AS No. 392 of 2016:

1. Union of India Rep.by
Secretary To Government (Revenue),
Pondicherry.
2. The Land Acquisition
Officer-cum-Deputy Collector (Revenue) ,
Karaikal.

..Appellant(s)

Vs

1. N.Ramasamy(Deceased)
2. Djanaguy
3. Tamilarassy
4. Arivajagane
5. Gomady
6. Madina



7. Marane

8. Mandjoula

9. Sandy

(R2 to R9 are brought on record as LRS of deceased sole respondent namely N.Ramasamy vide Court order dated 17.02.2022 made in CMP.Nos.254,256 & 259 of 2022 in A.S.No.392 of 2016)

..Respondent(s)

Prayer: Appeal Suit filed under Section 54 of the Land Acquisition Act, praying to set aside the order dated 26.07.2011 in L.A.O.P.No.6/2009 on the file of II Additional District Judge, Pondicherry.

For Appellant(s) : Mr.Ramaswamy Meyyappan
Government Advocate (Pondicherry)

For Respondent(s) : For R2 to R9 – Mr.T.Sai Krishnan
R1 - Died

CROS.OBJ No. 34 of 2017

1. N.Ramasamy (died)
2. Djanaguy
3. Tamilarassy
4. Arivajagane
5. Gomady
6. Madina
7. Marane
8. Mandjoula
9. Sandy



(Sole Appellant Died. A2 to A9 are brought on record as LRS of deceased sole appellant namely N.Ramasamy vide court order dated 09.10.2025 made in CMP.No.18401,18403,18405 of 2025 in Cross.Obj.34/2017)

..Appellant(s)

Vs

1. The Union Of India
Rep By The Secretary To Government
Revenue, Pondicherry.
2. The Land Acquisition Officer-Cum-Deputy
Collector Revenue, Karaikal

..Respondent(s)

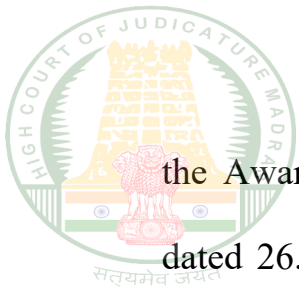
Prayer: Cross Objection filed under Section 54 of the Land Acquisition Act, 1894 read with Under Order XXXVI Rule 22 read with under Section 96 of C.P.C., praying to set aside the Award of the Learned District Judge at Karaikal in LAOP.No.6 of 2009 dated 26.07.2011 in as much as it fixes the compensation for the Appellant's lands at Rs.10000/- and consequently enhance the compensation in respect of the Appellants Land to Rs.11,500/- per Are.

For Cross-Objector(s) : Mr.T.Sai Krishnan

For Respondent(s) : Mr.Ramaswamy Meyyappan
Government Advocate (Pondicherry)
(For R1 & R2)

COMMON JUDGMENT

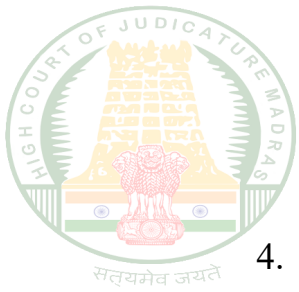
The appeal suit in A.S.No.392 of 2016 has been filed to set aside the order dated 26.07.2011 in L.A.O.P.No.6 of 2009 on the file of II Additional District Judge, Pondicherry and the Cross-objection has been filed to set aside



the Award of the Learned District Judge at Karaikal in LAOP.No.6 of 2009 dated 26.07.2011 in as much as it fixes the compensation for the Appellant's lands at Rs.10000/- and consequently enhance the compensation in respect of the Appellants Land to Rs.11,500/- per Are.

2. The issue in the appeal suit and the cross-objections filed arise out of an award in respect of the lands that had been acquired for construction of shelters and other infrastructural facilities in coastal villages in Karaikal. A notification under Section 4(1) of the Land Acquisition Act, 1894 was issued on 17.10.2005 invoking Section 17(4) of the said Act. The said lands have been classified as wet and manai and an award came to be passed, fixing the land value at Rs.1,129/- in respect of Thiruvettakudi village and Rs.4,500/- in respect of Akkarai Vattam village by award proceedings dated 16.07.2008. The respondent-land owner had sought for enhancement of compensation and the order is impugned herein after analysing the claims made by the respective parties, the Reference Court had held that the landowner was entitled to enhancement at the rate of Rs.10,000/- per Are against the award of Rs.4,500/- per Are in respect of the lands belonging to Akkarai Vattam village.

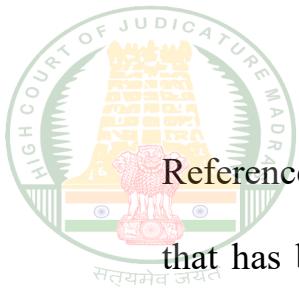
3. Being aggrieved against the enhancement, the appellant is before this Court and, being dissatisfied with the enhanced compensation and seeking higher compensation, the respondent/landowner had filed a cross-objection.



4. Heard Mr.Ramaswamy Meyyappan, learned Government Advocate (Pondicherry) for the appellants in the suit and Mr.T.Sai Krishnan, learned counsel for the cross objectors.

5. The learned Special Government Pleader appearing on behalf of the appellant would submit that on the date of 4(1) notification, as per the statistical data and the guideline value, the value of the land that was acquired was Rs.4,500/- per Are. He would submit that the lands covered under the documents referred to and relied upon by the Reference Court are not similar in nature to the lands that were acquired. He would further submit that the documents covered under Ex.C3 were sold as plots covering smaller extent, whereas the extent of the acquired lands was larger. He would further submit that the Court below, namely the Reference Court, ought not to have, taking note of the classification of the land covered in Ex.C3, applied the value under the said document in respect of the lands that had been acquired. Hence, he seeks the indulgence of this Court.

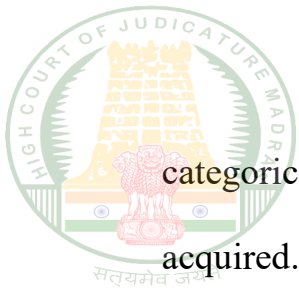
6. Countering his arguments, Mr.T.Sai Krishnan, learned counsel appearing for the cross-objector would submit that when Ex.C3 was taken into consideration for arriving at the fair and just value for the land, the value as mentioned in the aforesaid document ought to have been taken and the



Reference Court erred in unilaterally fixing a lesser value than the consideration that has been passed under Ex.C3. He would further submit that even though Exs.C1 to C5 had been relied upon, no reasons had been attributed as to why they should not be considered. In any event, he would submit that the fixation of the market value by the Reference Court, contrary to the consideration under Ex.C3 which had been taken for fixing the market value, is wholly erroneous. Hence, he seeks interference with the orders passed and seeks enhancement of the compensation by fixing the market value of the land at Rs.11,500/- per Are.

7. I have considered the submissions made by the learned counsel appearing on either side and perused the materials placed on record.

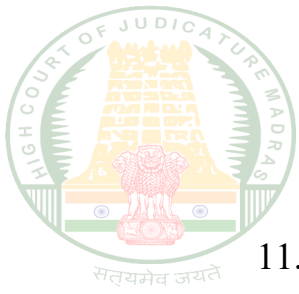
8. In respect of Akkarai Vattam village under award dated 16.07.2008, the value of the land that was acquired was fixed at Rs.4,500/- per Are. A perusal of the award would indicate that 98 sale deeds were taken for consideration and 8 sale deeds were retained for fixing the market value. It is to be noted that the lands that had been acquired were classified as wet lands. The Reference Court had given a categorical finding that the sale deeds that are marked as Exs.C1 to C5 have also been taken as statistical lands, but however had been discarded as being far away from the lands that had been acquired. It had also given a categorical finding that a perusal of the sketch that had been marked as Ex.R3 do not support the case of the appellant and had given a



categorical finding that the Ex.C3 land is very near to the lands that had been acquired. It had further given a finding that the land under Ex.C3 was sold as a plot and the land that had been acquired is classified as wet land. It had fixed the value of the acquired land at Rs.10,000 per Are.

9. Even though the appellant had contested the classification of the lands that had been acquired, it had not contested the specific finding given by the Reference Court that the land under Ex.C3 is in close proximity with the lands that had been acquired from the respondent/cross-objectors.

10. The trial Court had, in fixing the value at Rs.10,000/- rather than taking the consideration that had been passed, had given a finding that the land that was sold as a plot, whereas the lands that were acquired only as wet land. A perusal of the Schedule under Ex.C3 do not indicate that the land had been sold as a plot, as the nature of the land had been shown is only as wet land, but however of a similar extent. In this regard, it would also be useful to refer to the judgment of the Hon'ble Apex Court in the case of ***Ram Kishan Vs State of Haryana and others***, reported in **2025 SCC Online SC 715**, wherein the Hon'ble Apex Court held that in determination of the market value of the land, the developmental activities and potentiality of the land also could be taken into consideration.



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11. From the statements that had been made by the respective parties before the Reference Court and the findings of the Reference Court, it could be seen that the land that had been acquired had the potentiality of being developed into residential plots.

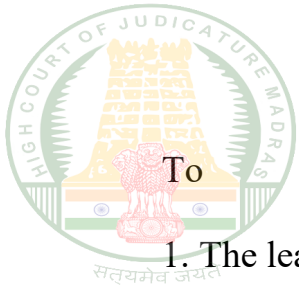
12. In such an event, this Court is of the considered view that it would have been proper for the Reference Court to have taken the face value of the consideration passed under Ex.C3 in fixing the value of the land that had been acquired. The cross-objections have also been restricted to the claim at Rs.11,500/- per Are, which is also lesser than the consideration passed under Ex.C3.

13. For the aforesaid reasons, the appeal suit fails and the cross-objections stand allowed and the market value of the acquired land is fixed at Rs.11,500/- per Are and the cross-objectors are also entitled for solatium and interest on the enhanced value. No costs. Consequently, connected miscellaneous petition is closed.

20-04-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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To

1. The learned District Judge at Karaikal.

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2. The learned II Additional District Judge,
Pondicherry.

3. The Secretary To Government Revenue,
The Union Of India
Pondicherry.

4. The Land Acquisition Officer-Cum-Deputy
Collector Revenue, Karaikal.

5. The Section Officer,
VR Section,
High Court, Madras.



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K.KUMARESH BABU J.

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