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CRP.No.537 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Reserved on:11.12.2025

Pronounced on: 09.01.2026

CORAM

THE HONOURABLE MR.JUSTICE P.B.BALAJI

**CRP. No.537 of 2025
and CMP. No.24433 of 2025
and CMP. No.3107 of 2025**

- 1.The Power Grid Corporation of India Limited,
(A Govt. of India Enterprise), rep. by its
Managing Director, B-9, Qutab Institutional Area,
Katwaria Sarai, New Delhi.
- 2.The Power Grid Corporation of India Ltd.,
Regional Office, rep. by its Regional Manager,
SR-II, 33 Race Course Road, Bangalore.
- 3.The Chief Manager,
Power Grid Corporation of India Ltd.,
400 KV Sub Station, Pennalur,
Sriperumbudur – 602 105.

Petitioner(s)

Vs

- 1.Mr.N.Baskar
- 2.The District Magistrate/
District Collector,
Kanchipuram District,
Kanchipuram.

Respondent(s)

PRAYER: This Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the judgment and decreetal order dated



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CRP.No.537 of 2025



31.01.2024 in Indian Telegraph Act O.P. No.61 of 2021 on the files of the District and Sessions Court No.2, Kancheepuram.

For Petitioners : Mr.Kalyanaraman for
M/s.Aiyar and Dolia

For Respondents : Mr.Y.Jyothish Chander for R1
Mr.V.Ramesh,
Government Advocate for R2

ORDER

The revision petitioner challenges the judgment and decree in ITOP No. 61 of 2021 on the file of the Sessions Court on the judgment and decree dated 31.01.2024.

2. I have heard Mr. Kalyanaraman, learned counsel for M/s. Aiyar and Dolia, Mr.Y.Jyothish Chander, learned counsel for the first respondent and Mr.V.Ramesh, learned Government Advocate for the second respondent.

3. The learned counsel for the petitioner Mr.Kalayanaraman, submits that the respondent is owning suit properties, having purchased the same under the sale dated 17.06.2005. The petitioner Corporation, under Government of India, proposed for construction of 400 KV Double



Circuit Power Transmission line from Sriperumbudur to Kalivanthapattu, covering an approximate distance of 30673 km for installing 94 towers and four transmission systems at a total cost of Rs. 588.25 crores. The project was approved by the Ministry of Power Government of India under Section 68 of the Electricity Act, 2003 in March 2005 itself and the respondent has purchased the property only thereafter, in June 2005. Referring to Section 10 of the Indian Telegraph Act, 1885, the learned counsel for the the petitioner Mr.Kalayanaraman, submits that the 'Corporation' falls within the definition of 'Authority' and is empowered to enter upon these suit properties for the purposes of laying towers/ transmission lines.

4. My attention is also drawn to the petition filed by the respondent in W.P. No.11598 of 2007, forbearing the petitioner from entering upon the respondent's land, which was disposed by this Court on 30.03.2007, directing the petitioner to obtain permission from the District Collector, Kancheepuram before entering into the premises of the respondent. Admittedly, the petitioner sought for permission on 03.08.2007, pursuant to which, the District Collector, granted permission by proceedings dated 09.05.2008 and subject to the same, the petitioner has entered into the



respondent's property and in fact the project itself was completed on 12.05.2008.

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5. The learned counsel for the petitioner also contends that the respondent alleging that he has suffered damages on account of the petitioner laying transmission lines over his property and that the utility of the lands have been severely affected and that he was unable to sell the plot, he moved this Court in W.P No. 4980 of 2010. The said petition was allowed on 11.03.2010 directing the petitioner to consider the representation of the respondent. In compliance with the orders of the Court by communication dated 21.05.2010, the petitioner rejected the claim of the respondent.

6. The said communication was challenged by the respondent in W.P. No. 13445 of 2010 and this Court by order dated 13.08.2019 directed the petitioner to determine the compensation payable to the respondent. The petitioner challenged the order of the Writ Court in Writ Appeal No.380 of 2020, successfully. The Hon'ble Division Bench of this Court by order dated 18.08.2021 allowed the appeal, giving liberty to the respondent to file a suit for compensation before the jurisdiction of



Civil Court. Pursuant to the liberty given by the Hon'ble Division Bench of this Court, I.T.O.P No.61 of 2021, came to be filed by the respondent before the Sessions Court. Initially, the respondent was not able to produce any relevant documentary evidence to indicate the relevant guideline value. After conclusion of examination of witnesses alone, the respondent filed I.A. No.4 of 2023 to mark certain Government Orders as well as the guideline values of the suit properties. It is further contended that the Trial Court, while dismissing the claim of the respondent for marking the guideline value permitted the Government Orders G.O. (MS) No.63 issued by the Energy (A1) Department, dated 22.11.2017 and G.O. (Ms) No.86 issued by Energy (A1) Department, dated 30.10.2019 to be marked.

7. The first respondent challenged the denial of permission for marking the guideline value in CRP No.1810 of 2023. This Court by order dated 21.06.2023, permitted the respondent to mark the relevant guideline value and fix compensation accordingly. Mr.Kalyanaraman, learned counsel submits that instead of marking the guideline value for June 2005 the respondent marked only guideline value from 01.08 2007 to 31.03.2012 as Ex. P 11. He would further state that the guideline value



that is marked as Athithanaar Nagar is classified as a residential area, did not pertain to the subject lands over which the transmission lines have been raised. Therefore, the contention of learned counsel Mr.Kalyanaraman is that the Trial Court has erroneously has proceeded to go by the guideline value to arrive at the compensation to the respondent. According to Mr.Kalyananaram, guidelines value for the subject property as available in the official website of the Registration Department was only Rs.140/- per square feet and not Rs.333/- per square ft. He would further stated that even the respondent had paid stamp duty and registration charges only on the prevailing guideline value and therefore, the petitioner should have been given compensation only on the basis of the value of his property. Mr.Kalyanaraman, would further contend that the property falls under Chengalpattu zone and the SRO Office lies in Guduvanchery and the village is Kavanoor. At best the guideline value could have been taken only as Rs.140/- per sq.ft. He also he argued that if the guideline value on the date of notification has to be taken, then the guideline value is only Rs.32/- per square feet and in view of the order passed by this court in CRP No.1810 of 2023, the Trial Court has fixed Rs.32/- as the applicable guideline value. Therefore, the learned counsel states that the judgment of the Trial Court is clearly



perverse.

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8. Per contra, Mr.Jyothish Chander, the learned counsel for the 1st respondent submit that for the subject property in ITOP No. 61 of 2021 was referred to ALS layout lying in Kavanoor Village, Sriperumbudur Registration District and later it was named as Si.Pa.Ahithanar Nagar and therefore, when the claim was in respect of developed plots, the petitioner cannot contend that the guideline value which has been fixed for the purposes of agricultural lands has to be reckoned. He would further submit that the guideline value has been filed by the respondent in Ex.P11 was the appropriate document reflecting the guideline value and the lines were laid only in the year 2008 and therefore that could be the relevant date for fixing compensation and the petitioner cannot contend that since the notification under Section 10 was in 2005, the rates applicable in 2005 should be taken into account.

9. Mr.Jyotish Chander, learned counsel also referred to Ex.P9, Sketch where it has been clearly elicited by the respondent that 9 developed plots were affected by the transmission lines and it has also been admitted by the petitioner's witness in cross examination. The



learned counsel further states that the length running to 96 ft has been lost because of the transmission lines and the respondent has been able to demonstrate before the Trial Court, the irreparable loss and is entitled to the compensation. The learned counsel therefore prays for the dismissal of the revision petition.

10. I have carefully considered the submissions advanced by learned counsel on either side.

11. The only point for consideration in this case is whether the valuation adopted by the Court to arrive at the compensation is proper and valid. It is not in dispute that the petitioner's property comprising survey No. 262/3A, 3B, 4A, 4B, 5A, 5B, 8A, 8B, 9A, 9B, 262/ 10A, 10B, 254/309 part and 254/3 of Kavanoor Village has been formed as a layout, which was originally ALS Layout. The Layout has been subsequently named as SI. Pa. Athithanaar Nagar. It is the contention of the respondent that Plot numbers 30, 31, 34 to 37 and 41 to 43 are affected because of the transmission lines that run above these nine plots. Even in the ITOP, the respondent has clearly set out the property by way of a schedule, giving details of all the plots, their extent, the sale price and the quantum



of damages suffered by the respondent. As already seen from the narration, Ex.P.11 came to be marked pursuant to the order of this Court in CRP. No.1810 of 2023.

12. This Court vide order in CRP. No.1810 of 2023, directed to receive and take into consideration the guideline value pertaining to the year in which notification under Section 10 of the Indian Telegraph Act was issued, under such impression, based only on the arguments of the learned counsel appearing for the petitioner. This Court held that the guideline value would be relevant for fixing compensation, apart from any other documents that may be filed by both parties and in such circumstances, permission was granted by this Court. The fact remains that in I.A. No.4 of 2023, the respondent attempted to mark only the guideline value for the year August 2007 to March 2012 and pursuant to the order in the revision petition those documents have also been marked. No objection has been raised by the revision petitioner at the time of marking that it did not relate to the relevant period viz., 2005, the notification to be issued.

13. According to the petitioner, the lines have been laid only in



2008 and therefore, irrespective of the notification issued, insofar as arriving at compensation payable to the respondent, the relevant date would certainly be the date on which the plots belonging to the respondent have been affected. In such view of the matter, the observation in the order in CRP. No.1810 of 2023 cannot come in the way of the Court fixing the correct value for the property based on the prevailing guideline value and other relevant factors.

14. However with regard to survey numbers, there is no dispute between both parties that the survey numbers in respect of which compensation was sought for is one and the same. However when it comes to guideline value, the petitioner has projected the guideline value to be only Rs.140/- per sq. ft, whereas the respondent, has projected the guideline value to be Rs.333/- per sq.ft. Both the figures are taken only from the official website of the Registration Department of the state of Tamil Nadu.

15. There is no apparent conflict with regard to the two different guideline values relied on by the respective parties. The guideline value



relied on by the petitioner pertains to the Survey Number 262 of Kavanoor village in respect of the prevailing guideline value for survey numbers. This guideline value is applicable only for lands that remain as agricultural in nature. The Registration Department has a separate guideline value fixed for properties in the very same survey number which are already developed.

16. It has not been disputed by the petitioner that the subject lands are already laid out in the form of an approved layout, out of which nine developed plots alone are affected because of the installation of the transmission lines which run over the said nine plots. In such circumstances, the relevant guideline value to be applied would necessarily have to be one that is for Street and not survey number. Ex.P.11, has been rightly taken note of by the Trial Court. I do not see any error or infirmity in adopting the guideline value at Rs.333 per sq.ft. The Trial Court has ordered compensation and finally come to the conclusion that respondent is entitled to compensation of Rs.51,28,200/- and that the respondent is also entitled to the said amount with interest rate from 2007 at the rate of 7.5%.



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17. The learned counsel for the parties also made their submissions with regard to the rate of interest awarded. Considering the submission with regard to interest, the Trial Court awarded interest since 2007. I am unable to justify the same since the lines were installed only in May 2008. Therefore, the interest would have to be paid only from May 2008 onwards i.e. from 09.05.2008 and not from May 2007. As regards the rate of interest, the amount payable is only towards compensation for losing the utility of the respondent's lands. Therefore, while awarding compensation in such matters, the Court should not have fixed interest at 7.5% per annum. It would be fair and equitable that this Court directs the petitioner to pay interest at 6% from 09.05.2008 till date on Rs.51,28,200/-.

18. In fine, this Civil Revision Petition is partly allowed/disposed of with the above observations. Consequently, connected Miscellaneous Petitions are also closed. No costs.

09.01.2026

rkp
Neutral Citation Case : Yes/No



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Internet: Yes/No
Index : Yes/No

To:

1. The District and Sessions Judge No.2, Kancheepuram.
2. The District Magistrate/
District Collector,
Kanchipuram District,
Kanchipuram.

P.B.BALAJI, J.,

rkp

Pre-delivery order in
CRP. No.537 of 2025
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