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W.P.No.6691 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.03.2026

CORAM :

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.6691 of 2026

and

W.M.P.No.7272 of 2026

S.Pachiappan

... Petitioner

Vs.

1.The District Collector,
Thiruvallur District,
Thiruvallur – 602 001.

2.The Commissioner of Land Administration,
Chepauk,
Chennai – 600 005.

3.The Special Revenue Divisional Officer,
Land Acquisition (Highways),
Thiruvallur @ Ambattur,
Chennai – 600 058.

4.The District Revenue Officer,
Land Acquisition,
Highways Campus,
Guindy, Chennai – 600 035.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, calling for the records in pursuant to the award passed by the 3rd Respondent dated



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10.06.2025 in Na.Ka.No.A2/183/2024/Paruthipattu and quash the same and consequently issue appropriate direction, directing the Respondents to reconsider the valuation and pass a revised award as per the guideline value fixed by the Government for The Commercial Special Type – II on the basis of the representations given by the petitioner dated 11.07.2025 and 09.09.2025.

For Petitioner : Mr.T.Thiageswaran
for M/s.Waraon & Sai Rams

For Respondents : Mr.D.Ravichander
Special Government Pleader

ORDER

This Writ Petition has been filed seeking for enhancement of compensation pursuant to the award dated 10.06.2025 passed by the 3rd respondent under the State Highways Act.

2. Mr.D.Ravichander, learned Special Government Pleader, accepts notice on behalf of the respondents.

3. The grievance of the petitioner in this Writ Petition as seen from his representations, dated 11.07.2025 and 09.09.2025 given to the respondents is that though the property acquired from the petitioner under



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the State Highways Act is a commercial property, the 3rd respondent under the award has determined the compensation amount payable to the petitioner by treating the property as a residential property. The petitioner has filed supporting documents along with this Writ Petition in support of his contention that the property acquired from the petitioner is a commercial property. This Court is not expressing any opinion on the merits of the same. In the award, it has been made clear that if the petitioner is aggrieved by the quantum of compensation, the petitioner will have to seek for a reference to the appropriate authority under Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (hereinafter referred to as RFCTLARR Act, 2013 in short, for the sake of convenience). Section 64 of the RFCTLARR Act, 2013 reads as follows:

“64. Reference to Authority (1) Any person interested who has not accepted the award may, by written application to the Collector, require that the matter be referred by the Collector for the determination of the Authority, as the case may be whether his objection be to the measurement of the land, the amount of the compensation, the person to whom it is payable, the rights of Rehabilitation and Resettlement under Chapters V and VI



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or the apportionment of the compensation among the persons interested:

Provided that the Collector shall, within a period of thirty days from the date of receipt of application, make a reference to the appropriate Authority: Provided further that where the Collector fails to make such reference within the period so specified, the applicant may apply to the Authority, as the case may be, requesting it to direct the Collector to make the reference to it within a period of thirty days.

(2) The application shall state the grounds on which objection to the award is taken:

Provided that every such application shall be made—

(a) if the person making it was present or represented before the Collector at the time when he made his award, within six weeks from the date of the Collector's award;

(b) in other cases, within six weeks of the receipt of the notice from the Collector under section 21, or within six months from the date of the Collector's award, whichever period shall first expire:

Provided further that the Collector may entertain an application after the expiry of the said period, within a further period of one year, if he is satisfied that there was



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*sufficient cause for not filing it within the period specified
in the first proviso.”*

4. The learned counsel for the petitioner would submit, on instructions, that the petitioner will be satisfied if a direction is issued to the appropriate Court to consider the objections that have been raised in this Writ Petition namely the property which is the subject matter of the acquisition is a commercial property and not a residential property. However, the said contention is disputed by the learned Special Government Pleader appearing for the respondents, who would once again reiterate that the property acquired from the petitioner is only a residential property.

5. This Court is not expressing any opinion on the merits of the respective contentions. However, necessarily the Civil Court which is acting upon the Reference as per Section 64 of RFCTLARR Act, 2013 will have to adjudicate as to whether the property which is acquired from the petitioner is a residential property or a commercial property and in case the property is found to be a commercial one, necessarily, the Civil Court while acting upon the Reference under Section 64 of the



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RFCTLARR Act, 2013, has to redetermine the compensation as prayed for by the petitioner in this Writ Petition.

6. For the foregoing reasons, this Court directs the 1st respondent to refer the petitioner's request for enhancement of compensation pursuant to passing of the award, which is the subject matter of the Writ Petition to the appropriate Civil Court as per Section 64 of the RFCTLARR Act, 2013, within a period of eight (8) weeks from the date of a receipt of a copy of this order. On receipt of the said Reference, the appropriate Civil Court while exercising its powers under Section 64 of the RFCTLARR Act, 2013 shall re-determine the compensation payable to the petitioner, if necessary and shall also adjudicate as to whether the property, which is the subject matter of acquisition is a residential property or a commercial property and in case, if it is found that the property is a commercial property, the concerned Civil Court shall consider the request of the petitioner for enhancement of compensation on merits and in accordance with law, as expeditiously as possible.



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7. With the above directions, this Writ Petition is disposed of.

There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

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Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation Case : Yes/No

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To

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ABDUL QUDDHOSE, J.

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