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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-01-2026

CORAM

**THE HONOURABLE MR JUSTICE S. M. SUBRAMANIAM
AND
THE HONOURABLE MR.JUSTICE C.KUMARAPPAN**

CONT P No. 1050 of 2025

1. Ganesan @ Krishnasamy,

Petitioner(s)

Vs

1. Shri. A.Kulothungan, IAS.,
Special Secretary (Revenue), DRDM,
Government of Puducherry, Chief
Secretariat, Puducherry - 605001.

2.Mr. G.Johnson,
Deputy Collector (Revenue) - Cum -
Land Acquisition Officer, Karaikal.

3.Mr. Shanmuganadam,
Tahsildar (Land Acquisition)
Government of Puducherry, Karaikal,
Karaikal District - 609602.

Contemnor(s)

PRAYER

To punish the respondents for their willful and deliberate disobedience and breach of the order passed by this Hon'ble Court in W.A.No. 28 of 2018 dated 07.08.2018.



For Petitioner(s): M/s. R.NATARAJAN,

For Contemnor(s): Mr.R.Sreethar,
Additional Government Pleader
(puducherry) For Rr1 To 3.

ORDER

(Order of the Court was made by S.M.Subramaniam J.)

The grievance of the petitioner is that the Deputy Collector Revenue cum Land Acquisition Officer, Karaikal vide letter dated 29.02.2024 rejected the claim of the petitioner for payment of 75% additional compensation for invoking urgency provisions in view of sub-Section (5) of Section 40 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

2. The said letter by itself would not constitute contempt of the order of this Court. By order dated 07.08.2018 while disposing of the Writ Appeals, this Court has stated that an award in terms of Section 24(1)(a) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 should be passed. The fact that the urgency provision contained in Section 17 of the Land Acquisition Act, 1894 was invoked prior to the enactment of the 2013 Act would not entail the land owners to claim that 75% compensation provided under sub Section (5) of Section 40 of the 2013 Act, in as much as sub-Section (5) makes it very clear that the additional amount of 75% is to be paid only if emergency provisions are invoked under new Act. Therefore, we do not think that the letter dated 29.02.2024 would



constitute a contempt.

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3. Mr.R.Natarajan, learned counsel appearing for the petitioner would submit that though it is stated that a sum of Rs.71,47,258/- has been deposited in Civil Court, no deposit was made.

4. That was not the issue raised is the Writ Appeal. In paragraph No.16 of the order, the Bench had only recorded a statement made to the effect that the money has been deposited. Therefore, we do not see any ground for issuing a notice of contempt.

5. Therefore, the contempt petition is dismissed. This dismissal will not however preclude the petitioner from making any claim in the manner known to law.

(S.M.SUBRAMANIAM J.)(C.KUMARAPPAN J.)

05-01-2026

gd

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



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