



WEB COPY

WP No. 11199 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 26-03-2026**

CORAM

**THE HON'BLE MR JUSTICE ABDUL QUDDHOSE**

**WP No. 11199 of 2026**

**and W.M.P.No.12197 of 2026**

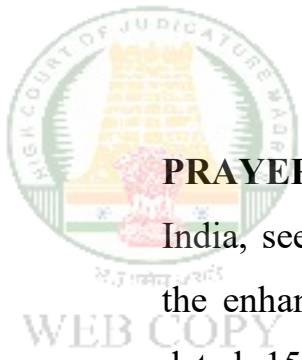
1. P.Palaniyappan
2. N. Tamilmani

..Petitioner(s)

Vs

1. The Managing Director  
Tamil Nadu Housing Board,  
TNHB Commercial Complex,  
(Pocket-VI) 1st Main Road,  
CIT Nagar, Chennai-600 035
2. The District Collector,  
Erode District, Erode -638 011
3. The Revenue Divisional Officer  
Meenakshi Sundaranar Street,  
Erode, Erode District -638 001
4. The Executive Engineer  
Administrative Officer,  
Tamil Nadu Housing Board  
Surampatti Nall Road, Erode -638 009  
Erode District.

..Respondent(s)



**PRAYER** – This Writ Petition is filed under Article 226 of the Constitution of India, seeking a Writ of Mandamus, to direct the respondents to re-determine the enhanced compensation as fixed in First Appeal in A.S. No.965 of 2004 dated 15.04.2010 for the petitioners land situated in S.No.1251/1B Erode Village, Erode District to the extent of 0.98.0 hectares to the petitioners by disposing the Written representation made by the petitioners on 17.09.2025 within a stipulated time.

For Petitioner(s): Mr.C.Prakasam

For Respondent(s): Mr.J.Pachiyappan,  
Standing Counsel for TNHB (For R1 & R4)

Mr.D.Ravichander  
Special Government Pleader (For R2 & R3)

### **ORDER**

W.M.P.No.11199 of 2026 filed seeking permission to the petitioners to join together and file a single writ petition is ordered on payment of separate court fee.

2.This Writ Petition has been filed seeking for enhancement of compensation as per the provisions of Section 28A of the Land Acquisition Act, 1894.

3.The petitioners claims that by virtue of the First Appeal judgment rendered on 15.04.2010 in A.S.No.965 of 2004, the petitioners are entitled for enhanced compensation to the lands acquired from the petitioners, which is the subject matter of this Writ Petition in the year 1999. The petitioners have given



a representation to the respondents on 17.09.2025, as per the provisions of Section 28A of the Land Acquisition Act, 1894, for the aforesaid purpose. Since the same was not considered, the petitioners have filed this Writ Petition.

4.Mr.J.Pachiyappan, learned Standing Counsel for TNHB, accepts notice on behalf of the respondents 1 & 4 and Mr.D.Ravichander, learned Special Government Pleader, accepts notice on behalf of the respondents 2 & 3. At the outset, he would submit that the claim of the petitioners is hopelessly barred by limitation. He would further submit that since any application seeking for enhancement of compensation as per the provisions of Section 28A of the Land Acquisition Act, 1894 has to be submitted within a period of three months from the date of the award, the representation of the petitioners dated 17.09.2025 is hopelessly barred by limitation.

5.The same is disputed by the learned counsel for the petitioners, who would submit that only recently the petitioners became aware of the First Appeal judgment dated 15.04.2010 passed in A.S.No.965 of 2004. This Court is not expressing any opinion on the merits of their respective contentions.



6.No prejudice would be caused to the respondents if the petitioners' representation as stated supra is considered on merits and in accordance with law, within a time frame to be fixed by this Court.

7.Accordingly, this Writ Petition is disposed of by directing the 2<sup>nd</sup> respondent to pass final orders on merits and in accordance with law on the petitioners' representation dated 17.09.2025, seeking for enhancement of compensation in terms of the First Appeal judgment dated 15.04.2010 passed in A.S.No.965 of 2004 as per the provisions of Section 28A of the Land Acquisition Act, 1894, within a period of eight weeks from the date of receipt of a copy of this order. However, there shall be no order as to costs.

**26-03-2026**

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

GSA



To

1. The Managing Director  
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TNHB Commercial Complex,  
(Pocket-VI) 1st Main Road,  
CIT Nagar, Chennai-600 035.
2. The District Collector,  
Erode District, Erode -638 011.
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4. The Executive Engineer  
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**ABDUL QUDDHOSE, J.**

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