



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-04-2026

CORAM

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THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 22840 of 2019

1. N.Chandra Prakash
S/o. Late. N. Anakaiah,
No. 106, Pullapuram, Kilpauk,
Chennai – 600010.
2. Sundarammal,
D/o. Late. N. Anakaiah,
No. 106, Pullapuram, Kilpauk, Chennai –
600010.
3. Dhoorthamma,
D/o. Late. N. Anakaiah,
No. 106, Pullapuram, Kilpauk,
Chennai – 600010.

..Petitioners

Vs

1. Government of Tamil Nadu,
Rep. by its Secretary, Housing and Urban
Development, (UD III(I) Department)
Secretariat, Chennai – 600009.
2. The Collector,
Chennai District, Chennai - 600001
3. The Special Commissioner and Commissioner
of Land Administration,
Chepauk, Chennai – 600005.
4. The Member Secretary,
Chennai Metropolitan Development Authority,
Egmore, Chennai - 600008
5. The Land Acquisition Officer (LA) III and
Thasildhar,
Chennai Metropolitan Development Authority,



No. 1, Gandhi Irwin Road, Egmore,
Chennai – 600008.

6. The Executive Engineer,
PWD, Araniyar Basin Division, Chepauk,
Chennai-600005.(R6 Suo-motu impleaded as
Per Order Dt 6/11/2019 made in
W.P.No.22840/2019)

7. The Secretary to Government,
Public Works Department,
Secretariat, Fort St. George,
Chennai - 9.

8. The Superintendent Engineer,
Araniyar Scheme, Public Works Department,
Chepauk, Chennai - 5.

(R7,R8 impleaded vide order dated 28.09.2021
made in WMP.20019/2021 in
WP.No.22840/2019)

..Respondents

Prayer:

Writ Petition filed under Article 226 of Constitution of India seeking for issuance of Writ of Mandamus directing the respondents to determine the compensation for the petitioner lands in S.No. 44/2 (Part) Sub-divided as T.S.No. 44/8 admeasuring 2 grounds and 0150 sq.ft. in Puliur Village Egmore, Nungambakkam Taluk in accordance with the provisions of Right to Fair Compensation Act, 2013 and to further direct the respondents to initiate Land Acquisition proceedings under the Right to Fair Compensation Act 2013, for lands in S.No. 44/2 (Part), Sub-divided as T.S.No. 44/8 in Puliur Village, Egmore - Nungambakkam Taluk measuring 1513 sq.ft.

(PRAYER AMENDED VIDE ORDER DT 28.09.2021 MADE IN
WMP.20025/2021 IN WP.22840/2019)



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For Petitioners:

Ms.T.Jayanthi

For Respondents:

Mr.C.Gowthamaraj (R1,R2,R3,R5 to R8)

Government Advocate

Mr.R.Thamaraiselvan (R4)

Standing Counsel

ORDER

This Writ Petition has been filed seeking a direction to the respondents to determine the compensation for the petitioner lands in S.No. 44/2 (Part) Sub-divided as T.S.No. 44/8 admeasuring 2 grounds and 0150 sq.ft. in Puliur Village Egmore, Nungambakkam Taluk in accordance with the provisions of Right to Fair Compensation Act, 2013 and to further direct the respondents to initiate Land Acquisition proceedings under the Right to Fair Compensation Act 2013, for lands in S.No. 44/2 (Part), Sub-divided as T.S.No. 44/8 in Puliur Village, Egmore - Nungambakkam Taluk measuring 1513 sq.ft.

2. The learned counsel appearing for the petitioners would submit that petitioners are the owners of the subject property and the lands to an extent of 2 grounds 1663 Sq.ft. were acquired by the 5th respondent in the year 1986 itself and possession was taken over and drainage was also constructed. Further, she would submit that Award was passed in No.1 of 1998 on 04.02.1988, in fixing the compensation amount at Rs.1,16,943.75/- only for an extent of 2 grounds and 150 sq.ft., and no Award has not been passed for the remaining lands to the extent of 1513 sq.ft. Hence, this petition.



2.1. Further, she would submit that despite the representation being submitted by the petitioners on 24.02.1994 to the respondents to settle the compensation for their lands, till date i.e., even after lapse of 30 years, no compensation has been disbursed to them. She has produced the communication dated 01.09.2004 of the District Revenue Officer, Chennai District addressed to the Special Commissioner and Commissioner of Land Administration, Chepauk, wherein it is stated that compensation amount was deposited in the Reserve Bank of India vide Challan No.00046 dated 13.05.1988 and now the same was lapsed to the Government account.

3. The learned counsel appearing for the 5th respondent, by reiterating the averments made in paragraph 4 of the counter affidavit would submit Award was already passed for the acquired land and entire amount of project being a sum of Rs.1,06,98,089.53 was deposited in the RBI vide Challan No.00046 dated 13.05.1988 and the amount stated above Rs.48,66,055.16 have been spent towards the settlement of acquisition cost and the balance of Rs.58,32,034.37 has not been spent and the unspent amount had lapsed to the Government Account on 01.04.1994. Further he submit that steps have been taken to revalidate the compensation amount from the Government Account in the year 2019 itself and due to no cooperation of the Public Works Department who is vested with the responsibility of re-validating the lapsed deposit amount



towards settling the award amount passed in favour of the petitioners, the compensation amount could not be disbursed.

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4. Heard both sides. Perused the records.

5. In the case on hand, according to the petitioner, initially, the subject lands, to an extent of 2 grounds 1663 Sq.ft., were acquired by the respondents in the year 1986. Subsequently, the possession of those lands was taken over and drainage was also constructed therein. In this regard, an Award was passed in No.1 of 1998 on 04.02.1988, wherein the compensation was fixed at a sum of Rs.1,16,943.75 for an extent of 2 grounds and 150 sq.ft., but no Award was passed for the remaining lands to the extent of 1513 sq.ft. Further, it was contended by the petitioners that the said compensation amount has not been disbursed to them till date.

6. A perusal of the letter dated 01.09.2004 of the District Revenue Officer, Chennai District addressed to the Special Commissioner and Commissioner of Land Administration, Chepauk, clearly shows that compensation amount was deposited in the Reserve Bank of India vide Challan No.00046 dated 13.05.1988 and now the same was lapsed to the Government account.



7. Further, in paragraph no.4 of the counter affidavit, it has been stated that pursuant to the award, the entire project amount of a sum of Rs.1,06,98,089.53 was deposited in the RBI vide Challan No.00046 dated 13.05.1988. Out of the said amount, a sum of Rs.48,66,055.16 have been spent towards the settlement of acquisition cost and the balance of Rs.58,32,034.37, which was not spent, had lapsed to the Government Account on 01.04.1994. If such being the case, it can be implied that compensation has not been disbursed.

8. With regard to the remaining portion of land to an extent of 1513 sq.ft., it was submitted by the respondents that though the said portion was not acquired, it was utilised by the respondents for public purpose, viz., laying concrete road and building canal. In such case, it is clear that the petitioner is certainly entitled for compensation for the said portion of land as well.

9. In the light of the aforesaid discussions, this Court is of the considered view that the petitioners are entitled for compensation to the entire land acquired and utilised portion of subject land i.e., 2 grounds and 1663sq.ft,

10. At this juncture, the learned Standing Counsel appearing for the 5th respondent would submit that since the lands were acquired in the year 1986 and compensation was determined in the year 1988 as per the Award, the petitioners are not entitled for compensation under Right to Fair Compensation



and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (RFCTLARR).

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11. In this case, though the Award was passed in the year 1988 itself, till date, no steps were taken to disburse the compensation amount. That apart, though it is stated that steps were being taken to deposit the compensation, no proof has been filed to that effect. When such being the case, this Court is unable to accept the above submission made by the learned standing counsel for the 5th respondent.

12. In the result, this Writ Petition is disposed of by directing the respondents to determine the compensation of the acquired and utilised lands of the petitioner under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (RFCTLARR) and disburse the same within a period of *eight weeks* from the date of receipt of a copy of this order

13. Post for reporting compliance on 29.06.2026

06-04-2026

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



To

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1. Government of Tamil Nadu,
Rep. by its Secretary, Housing and Urban Development, (UD III(I)
Department) Secretariat, Chennai - 600009Chennai
2. The Collector,
Chennai District, Chennai - 600001
3. The Special Commissioner and Commissioner of Land Administration,
Chepauk, Chennai - 600005
4. The Member Secretary,
Chennai Metropolitan Development Authority, Egmore, Chennai - 600008
5. The Land Acquisition Officer (LA) III and Thasildhar,
Chennai Metropolitan Development Authority, No. 1, Gandhi Irwin Road,
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KRISHNAN RAMASAMY, J.

arr/nsa

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