



W.A No. 1952 of 2022

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-04-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE K. SURENDER

**WA No. 1952 of 2022 AND
CMP NO. 14254 OF 2022**

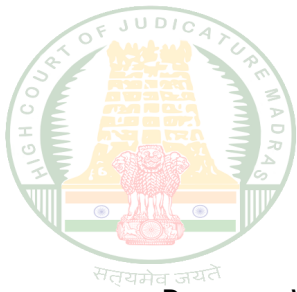
Power Grid Corporation of India Limited
Registered Office at B-9, Qutab Institutional Area,
Katwaria Sarai, New Delhi-110 016.

..Appellant

Vs

1. Satpal Singh Ahluwalia
S/o.Late Santokh Singh Ahluwalia, 327, Sector 33-A,
Chandigarh-160 020.
2. Preet Kamal Ahluwalia
W/o.Mr.Satpal Singh Ahluwalia, 327, Sector 33-A,
Chandigarh-160 020.
3. The State Of Tamil Nadu,
Rep. by its Secretary, Energy Department,
Chepauk, Chennai-600 009.
4. The Collector
Vellore District, Vellore.
5. The Revenue Divisional Officer
Land Acquisition Officer, Vellore
6. Special Judge (LAOP) Tribunal
Vellore.

..Respondents



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Prayer : Writ Appeal under Clause XV of the Letters Patent to set aside the order dated 25.07.2022 in WP.No.15495 of 2015.

For Appellant : Mr.AR.L.Sundaresan
Additional Solicitor General
assisted by Ms.Rita Chadrasekar and
Mr.V.Kalyanaraman for M/s.Aiyar and Dolia

For Respondents : Mr.V. Prakash, Senior Counsel
for Ms.Shubharanjani Ananth-for R1 and R2

Mr.T.Arunkumar
Additional Government Pleader – for R3 to R5
R6 - Tribunal

Judgment

(Judgment of the Court was delivered by S.M.Subramaniam J.)

The order under assail is dated 25.07.2022 passed in W.P.No.15495 of 2015. The 4th respondent in the writ petition Power Grid Corporation of India filed the present intra Court appeal under Clause XV of the Letters Patent mainly on the ground that the impugned writ order as well as the directions issued would fall beyond the scope of Section 24(1)(a) of the Right to Fair Compensation and Transparency in Land Acquisition Act, 2013 (hereinafter referred to as 'the Act') (Act 30 of 2013).

2. Mr.AR.L.Sundaresan, learned Additional Solicitor General appearing for the appellant would mainly contend that, the acquisition proceedings commenced on



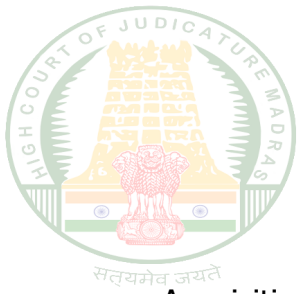
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07.09.2011 and after following the procedures as contemplated under the Land Acquisition Act of the year 1894, an award came to be passed on 31.07.2012 under Section 11 of the old Land Acquisition Act. After passing an award on 31.07.2012, notice under Section 12(2) of the 1894 Act was issued. The land owners received the compensation. The first respondent / writ petitioner, in response through his letter dated 16.08.2012, authorised one Mr.M.Sivakumar to receive the compensation amount and he has received the compensation. Possession was taken and the land has been utilised for public purpose.

3. Subsequently, a reference has been made under Section 18 of the Act, 1894 to the Sub-Court, Vellore in L.A.O.P.No.8 of 2015. Before the LA.O.P. Court, it was contended that the interest due to the land owners was calculated from 15.09.2011 to 25.05.2012, however the land owners are entitled to get interest till 31.07.2012. The mistake identified, was rectified by issuing an amended order by the Land Acquisition Officer in proceedings dated 30.05.2014. Consequently, 9% interest from 26.05.2012 to 31.07.2012 was added along with the compensation initially granted in the award dated 31.07.2012 and a total compensation of Rs.8,13,723/- was determined.

4. Mr.AR.L.Sundaresan would contend that a plain reading of Section 24(1)(a) makes it crystal clear that, where no award under Section 11 of the old Land



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Acquisition Act 1894 has been made, then alone the provisions of the Act 30 of 2013 would apply. In the present case, the land acquisition proceedings concluded by affording opportunity to the land owners and award came to be passed on 31.07.2012 and the proceedings dated 30.05.2014 is only an amendment carried out to grant interest till 31.07.2012. Interest was calculated for the left out period of about four months and therefore the new Act will not apply and thus, the Writ Court has committed an error in directing the Sub Court to determine the compensation under Act 30 of 2013.

5. Learned Senior Counsel Mr.V.Prakash appearing for the respondents 1 and 2 would oppose by stating that, the term "award" is to be interpreted that an award in all respects must be complete under the provisions of the Act. In the present case, an error was identified in the original award dated 31.07.2012 and an amended order was passed in proceedings dated 30.05.2014. Thus, the award is to be construed as a complete award within the meaning of Act 1894 taking note of the later proceedings dated 30.05.2014 and thus the Writ Court is right in arriving at the decision. It is to be construed that the amended order dated 30.05.2014 as a fresh and only award under the Act and thus the present appeal is to be rejected.

6. In support of his contentions, learned Senior Counsel Mr.V.Prakash would rely on the following judgments to establish that the original award dated



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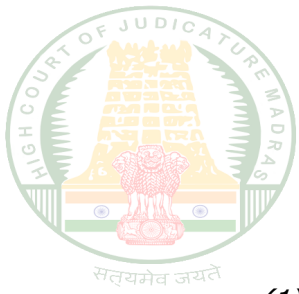
31.07.2012 cannot be construed as an 'award' within the meaning of Section 11 of the Act, 1894. .

- Sunder vs. Union of India (2001) 7 SCC 211
- Chimanlal Hargovinddas vs. Special Land Acquisition Officer, Poona and another. (1988) 3 SCC 751
- Orissa Industrial Infrastructure Development Corporation vs. Supai Munda and Others. (1996) 4 S.C.C.533.
- Indore Development Authority vs. Manoharlal (2020) 8 SCC 129.

7. This Court has considered the rival submissions made by the learned Senior Counsels appearing for both sides.

8. The relief sought for in the writ petition is to determine the compensation under the Act 30 of 2013, since the award has been passed prior to the commencement of the Act 30 of 2013. In the context of the relief sought for, it is relevant to consider Section 24(1)(a) of the Act 30 of 2013, which reads as under:

" 24. Land acquisition process under Act No. 1 of 1894 shall be deemed to have lapsed in certain cases.



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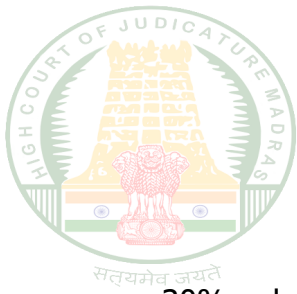
(1) Notwithstanding anything contained in this Act, in any case of land acquisition proceedings initiated under the Land Acquisition Act, 1894,-

(a) where no award under section 11 of the said Land Acquisition Act has been made, then, all provisions of this Act relating to the determination of compensation shall apply;”

9. The language employed under sub-section (1)(a) to Section 24 is unambiguous that, where no award under the old Land Acquisition Act has been made, then alone the provisions of Act 30 of 2013 would apply to determine the compensation.

10. In the context of the above provision, the issue raised is whether the award dated 31.07.2012 is to be taken into consideration or the amended order passed on 30.05.2014 is to be taken into account for determining the quantum of compensation to be paid to the land owners.

11. The basic factual matrix are not disputed between the parties. Section 4(1) notification was issued on 15.09.2011. Section 6 declaration was made on 22.09.2011. Notice on award enquiry was issued on 12.03.2012 and the award enquiry was conducted on 26.03.2012. Thereafter, an award came to be passed on 31.07.2012 determining the compensation. While determining the compensation,



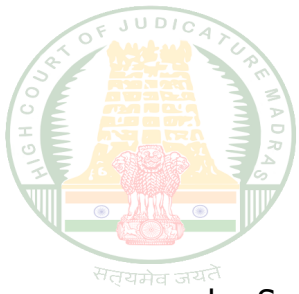
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30% solatium was granted. 12% additional amount from the date of Section 4(1) notification till the date of issue of the award ie., 15.09.2011 to 25.05.2012 was granted. Thus, the award dated 31.07.2012 is an award passed under Section 11 of the Land Acquisition Act, 1894.

12. The LAOP Court *suo motu* found that the interest calculated from 15.09.2011 to 29.03.2012 was incorrect and the date 29.03.2012 is irrelevant. In view of the said objection raised by the LAOP Court, the Land Acquisition Officer passed an amended award in proceedings dated 30.05.2014 and thereby corrected the interest to be paid till 31.07.2012 and accordingly 9% interest was determined from 26.05.2012 to 31.07.2012.

13. A close perusal of the original award passed on 31.07.2012 and the amended award passed on 30.05.2014 would show that, only the interest date alone has been corrected and in respect of other details as well as the quantum of compensation determined remains unaltered. Therefore, the amended award is to be considered as a correction of error regarding the period for which the interest is to be paid to the land owners.

14. The scope of Section 24(1)(a) of Act 30 of 2013 cannot be expanded by the Courts since the provision in unambiguous terms reiterates that, where no award



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under Section 11(1) of the Land Acquisition Act, 1894 has been made, then alone the new Act would apply. In the present case, the award was passed on 31.07.2012 and only a correction regarding the period of interest alone has been made in the amended order dated 30.05.2014. Thus, for all purposes, the date of award is to be taken as 31.07.2012 and thus, this Court is of the considered view that the interpretation of the Writ Court is falling beyond the scope of Section 24(1)(a). Therefore, the order of the writ Court, considering the amended order as a fresh award is infirm and falls beyond the scope of Section 24(1)(a) of Act 30 of 2013.

15. As far as the judgments relied upon were delivered prior to Act 30 of 2013 is concerned, the same requires no consideration since the entire case rests on Section 24(1)(a) of Act 30 of 2013. That apart, the scope of Section 24(1)(a) is unambiguous and the scope cannot be expanded so as to construe the amended order correcting the mistake as an 'award' within the meaning of Section 11 of Act, 1894. The award passed in the year 2012 remains intact in all aspects except the period of interest to be calculated under the Act, 1894, in respect of which objection was raised by the trial Court and in view of the same the amended order came to be passed. Therefore, the amended order passed in the year 2014 cannot be construed as a fresh award.



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16. For all reasons stated above, the impugned order dated 25.07.2022 passed in W.P.No.15495 of 2015 is set aside and the writ appeal is allowed. No costs. Consequently, connected miscellaneous petition is closed.

(S.M.S.,J.) (K.S.,J.)
17-04-2026

Index: Yes
Speaking order
Neutral Citation: Yes

KST

To

1. The Secretary to Government, Energy Department,
Chepauk, Chennai-600 009.
2. The Collector
Vellore District, Vellore.
3. The Revenue Divisional Officer
Land Acquisition Officer, Vellore
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**S.M.SUBRAMANIAM J.
AND
K.SURENDER J.**

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