



WEB COPY

WP No. 23560 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-03-2026

CORAM

THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 23560 of 2024

C.Dhandayudhabani

..Petitioner(s)

Vs

1. The Principal Secretary to Government,
Higher Education Department Secretariat,
St. George Fort, Chennai-600 009.
2. The Registrar,
Bharathiyar University,
Coimbatore-641 046.
3. The District Collector,
Coimbatore District, Coimbatore-641 018.
4. The Special Tahsildar,
Land Acquisition Unit No.IV,
Bharathiyar University, Collectorate,
Coimbatore-641 018.

..Respondent(s)

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking issuance of writ of mandamus, directing the 3rd respondent herein to reconvey the land comprised in Survey Nos. 320/1 (2.25 Ares), 321/1 (3.38 Acres), 362/3 (0.38 Acres), 362/4 (0.31 Acres) and 362/5 (0.37 Acres) and in all having a total extent of 6.38 Acres situated in Vadavalli Village, Perur Taluk, Coimbatore District to the petitioner or in the alternative direct the 4th



respondent and pay the enhanced compensation on par with the compensation decided for the adjoining lands, with all consequential benefits in pursuance to the representation dated 19.07.2023.

(PRAYER AMENDED AS PER ORDER DATED 08.11.2024 IN WMP.31748/2024 IN WP.23560/2024 BY PTAJ)

For Petitioner(s): Ms.Annamma K

For Respondent(s): Mr.C.Gauthamaraj
Government Advocate for R1, R3 & R4

ORDER

This Writ Petition has been filed seeking issuance of writ of mandamus, directing the 3rd respondent herein to re-convey the land comprised in Survey Nos. 320/1 (2.25 Ares), 321/1 (3.38 Acres), 362/3 (0.38 Acres), 362/4 (0.31 Acres) and 362/5 (0.37 Acres) and in all having a total extent of 6.38 Acres situated in Vadavalli Village, Perur Taluk, Coimbatore District to the petitioner or in the alternative direct the 4th respondent and pay the enhanced compensation on par with the compensation decided for the adjoining lands, with all consequential benefits in pursuance to the representation dated 19.07.2023.

2. The learned counsel for the petitioner would submit that the petitioner's land to an extent of 6.38 acres was acquired for the purpose of construction of building for Bharathiyar University. However, upon found discrepancy in determining the compensation that comparing to the



neighbouring land, lesser amount was fixed as compensation for the petitioner's land, the petitioner made a representation on 19.07.2023 for determination of the enhanced compensation on par with the neighbouring lands. Since the same was considered, the present writ petition is filed.

3. However, the learned Government Advocate appearing for the respondents would submit that the petitioner's representation dated 19.07.2023 is pending before the 4th respondent and the same will be considered and appropriate orders will be passed.

4. Heard the learned counsel appearing on either side and perused the materials available on record.

5. In the present case, the award was passed however, now the petitioner filed a representation and the same is pending with the 4th respondent for the purpose of enhancement of the compensation at par with the neighbouring land. It is grievance of the petitioner that the compensation whatever originally determined to the petitioner is lesser than the compensation what is already determined for the adjacent lands.

6. This Court has dealt with a similar issue in W.P.No.42691 of 2025 and passed the order dated 11.11.2025 in the light of the law laid down by the Hon-



ble Supreme Court in the case of **Narendra and others Vs. State of U.P. and others** reported in (2017) 9 SCC 426, wherein, it observed as follows:

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“5.1. As rightly pointed out by the learned counsel for the petitioner, in the light of the law laid down by the Hon-ble Supreme Court in the case of Narendra and others Vs. State of U.P. And others reported in (2017) 9 SCC 426, the petitioner is entitled to the benefit of the enhanced compensation as per Section 28A of the Land Acquisition Act, which provides for redetermination of compensation for those landowners, though they did not seek for Reference of the compensation, in this connection, it would be apposite to refer to the relevant para from the said decision, which is extracted hereunder:~

- In order to ensure that the landowners are given proper compensation, the Act provides for --fair compensation--. Once such a fair compensation is determined judicially, all landowners, whose land was taken away by the same notification should become the beneficiary thereof. Not only it is an aspect of good governance, failing to do so would also amount to discrimination by giving different treatment to the persons though identically situated. On technical grounds, like the one adopted by the High Court in the impugned judgment, this fair treatment cannot be denied to them.

5.2. A reading of the above decision makes it clear that --in an acquisition proceedings, if an award is passed, any of the landowners challenged the method and manner of award passed by the Land Acquisition Authority, whereby, compensation is enhanced, and the said decision attains finality, the benefit of the said decision would squarely apply to all the landowners of the



State, despite they have not challenged the award, even, in the event they are approaching for re~determination of compensation subsequent to the judgment attains finality.

5.3. Thus, in the light of the law laid down by the Hon-ble Supreme Court, in the case of Narendra and others (cited supra), the petitioner is entitled to reap the benefit of the order passed by the Learned Sub Judgment, Kancheepuram in L.A.O.P.No.22 of 2015, dated 01.09.2018, as the said order of enhancement of compensation was confirmed by the learned Single Judge of this Court in A.S.No.333 of 2021 vide Judgment and decree dated 07.01.2022 and in the absence of any further Appeal preferred by the first respondent as against the said judgement, the order passed by the learned Sub Judge, Kancheepuram attained finality.

5.4. Therefore, the petitioner, on the strength of the order passed by the learned Sub Judge in L.A.O.P.No.22 of 2021 dated 01.09.2018, which was in fact confirmed by this Court in Appeals filed by the first respondent in A.S.No.333 of 2021 vide judgment dated 07.01.2022 and placing reliance on the law laid down by the Hon-ble Supreme Court, in Narendra-s case (cited supra) has made a representation dated 31.03.2022 seeking for re~determination of compensation under Section 28 (A) of the Land Acquisition Act, as the said provisions enables for re~determination of the compensation for those landowners, who did not sought for reference. However, the first respondent without taking into consideration of the fact that the law on this aspect is well~settled by the Hon-ble Supreme Court, in Narendra-s case (cited supra) committed a fault in the decision making process and erroneously rejected the petitioner-s representation.

5.5. Therefore, this Court is of the firm view that the



impugned order passed by the first respondent is not sustainable in law and has to be set aside.”

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7. In such view of the matter, the law is well settled that the land owner is entitled for compensation on par with the compensation granted to the adjacent land, even if no claim was made originally at the time of passing the award. In view of the decision of the Hon’ble Supreme Court in **Narendra’s** case referred supra ,the petitioner is entitled for compensation on par with the compensation granted to the adjacent land, that too, when the representation was filed by the petitioner on 19.07.2023 for enhancement of compensation, the 4th respondent is supposed to consider the same.

8. Accordingly, the fourth respondent is directed to consider the representation of the petitioner dated 19.07.2023 and pass appropriate orders for enhancement of compensation on par with compensation awarded to adjacent land owners taking into consideration of the law laid down by the Hon-ble Supreme Court, in the case of **Narendra and others Vs. State of U.P. And others reported in (2017) 9 SCC 426**. The aforesaid exercise shall be completed by the fourth respondent within a period of twelve weeks from the date of receipt of a copy of this order.



9. In fine, the Writ Petition is disposed of on the aforesaid terms. No costs.

11-03-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

KKN

To

1. The Principal Secretary to Government,
Higher Education Department Secretariat,
St. George Fort, Chennai-600 009.
2. The Registrar,
Bharathiyar University,
Coimbatore-641 046.
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KRISHNAN RAMASAMY, J.

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