



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-06-2026

CORAM

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THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 17726 of 2026

1. T.Raju
S/o. Thillaigounder,
Samandahalli village,
Morappur post,
Harur Taluk,
Dharmapuri district.
2. Nagarajan
S/o. Sengagounder,
Samandahalli village,
Morappur post,
Harur Taluk,
Dharmapuri district
3. P.Mohan
S/o. Pachai Muthu,
Samandahalli village,
Morappur post,
Harur Taluk,
Dharmapuri district
4. K.Saravanan
S/o. Krishnan,
Samandahalli village,
Morappur post,
Harur Taluk,
Dharmapuri district
5. P.Murugesan
S/o. Theethan @ Ponnumalai,
Samandahalli village,
Morappur post,
Harur Taluk,
Dharmapuri district



6. Selliymmal
W/o. Chetty @ Nallagounder,
Samandahalli village,
Morappur post,
Harur Taluk,
Dharmapuri District.

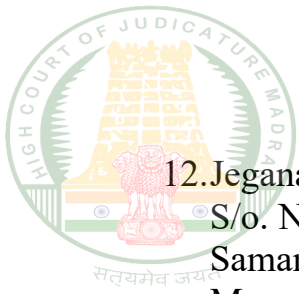
7. Thulasiammal
W/o. Gopal @ Vellai,
Samandahalli Village,
Morappur Post,
Harur Taluk,
Dharmapuri District.

8. Saamikannu
S/o. Oomai Gounder,
Samandahalli village,
Morappur post,
Harur Taluk,
Dharmapuri district

9. S.Suresh
S/o. Saamikannu,
Samandahalli Village,
Morappur Post,
Harur Taluk,
Dharmapuri District.

10. Kamalammal
S/o. Thozhan @ Vellai
Samandahalli village,
Morappur post,
Harur Taluk,
Dharmapuri district

11. Janaki
W/o. Vellai Gounder,
Samandahalli village,
Morappur post,
Harur Taluk,
Dharmapuri district



12.Jeganathan

S/o. Nallagounder,
Samandahalli village,
Morappur post,
Harur Taluk,
Dharmapuri district

13.Mathialagan

S/o. Nallagounder,
Samandahalli Village,
Morappur Post,
Harur Taluk, Dharmapuri District.

14.Ramalingam

S/o. Chinnagounder @ Nallagounder,
Samandahalli Village,
Morappur Post,
Harur Taluk, Dharmapuri district

15.Chinnakannu

S/o. Vellai Gounder,
Samandahalli village,
Morappur post,
Harur Taluk,
Dharmapuri district

16.Kullugounder

S/o. Kandhaiya gounder,
Samandahalli village,
Morappur post,
Harur Taluk, Dharmapuri district

17.Mahendran

S/o. Kullan, Samandahalli village,
Morappur Post, Harur Taluk,
Dharmapuri district

18.Kandhasamy

S/o. Nallagounder,
Samandahalli village,
Morappur post,
Harur Taluk,
Dharmapuri district



19. Chinnasamy
S/o. Nallagounder,
Samandahalli village,
Morappur post,
Harur Taluk,
Dharmapuri District.

20. Elango,
S/o. Nallaan,
Samandahalli village,
Morappur post,
Harur Taluk,
Dharmapuri district

21. R. Kamala
W/o. Ranganathan Samandahalli village,
Morappur post,
Harur Taluk, Dharmapuri district

22. S. Selvam
S/o. Senga Gounder,
Samandahalli village,
Morappur post,
Harur Taluk, Dharmapuri district

..Petitioner(s)

Vs

1. The Chief Engineer
(Water Resource Organization), Chepauk,
Chennai-600 005.
2. The Principal Secretary
The commissioner of land administration,
Ezhilagam, Chepauk,
Chennai-5.
3. The District Collector
Dharmapuri District,
Dharmapuri.



4. The Revenue Divisional Officer-
cum-Land Acquisition Officer,
O/o. The Revenue Divisional Officer,
Harur Revenue Division, Dharmapuri

5. The Executive Engineer,
Public Works Department,
(Water Resource Organization),
Mel Pennar Vadi Valli Uttkottam,
Dharmapuri-5.

..Respondent(s)

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of writ of mandamus, directing the respondents to pay the enhanced compensation to the petitioners for the lands acquired for “Echampadi Anaikattu Scheme” based on the representation of the petitioners dated 05.05.2023 within a stipulated time that may be fixed by this Honble court.

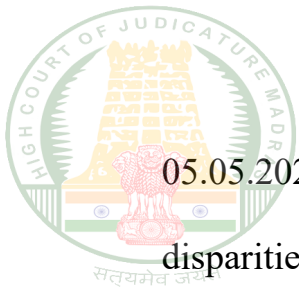
For Petitioner(s): Mr.J.Shakul Hameed

For Respondent(s): Mr.B.Pachaiyappan
Government Counsel

ORDER

This writ petition has been filed to dispose of the petitioner’s representation dated 05.05.2023 wherein, the petitioners sought for enhancement of compensation at par with the neighbouring land owner.

2. The learned counsel for the petitioners would submit that the respondents acquired the petitioners’ land as early as in 1985 and Rs.20/- per cent was fixed as compensation whereas Rs.240/- per cent was fixed to the adjacent land owners. Therefore, the petitioners made a representation dated



05.05.2023 seeking enhancement of compensation, since there was a huge disparities in fixation of the compensation. He would submit that though the petitioners had not challenged the award, as per the law laid down by the Hon'ble Supreme Court in very many cases, particularly, in the case of *Narendra and Others Vs. State of U.P. and Others reported in (2017) 9 SCC 426*, irrespective of the failure on the part of the land owners in filing applications, if there is any disparities in fixation of compensation in the same acquisition, even without filing applications, the land owners are entitled to get the compensation at par with the neighbouring land owners, who got higher compensation. Therefore, the present writ petition is filed.

3. The learned counsel for the respondents would submit that petitioners' representation will be considered and appropriate order will be passed by taking into consideration of the judgment of the Hon'ble Supreme Court in *Narendra's case*.

4. I have considered the submissions made by the learned counsel for the petitioner as well as the respondents.

5. The issue involved in this writ petition is no longer *res-integra*. When the compensation fixed for the petitioners was fixed lesser than the compensation fixed for the neighbouring land owners, certainly, land owners



who received the lesser compensation are entitled for compensation at par with the neighbouring land owners, to whom higher compensation was fixed. This is

what held 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 relevant portion of the said judgment is extracted hereunder:

*“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.’



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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*



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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.

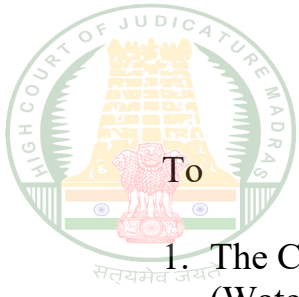
5.5. Therefore, this Court is of the firm view that the impugned order passed by the first respondent is not sustainable in law and has to be set aside.”

6. While dictating the order, this Court asked the details of the compensation fixed for the neighbouring land owners. However, the learned counsel for the petitioner is not in a position to produce any details, fixing the compensation at Rs.240/- for the neighbouring land owner. Therefore, the respondent is directed to pass appropriate orders on the petitioners' representation dated 05.05.2023, enhancing the compensation at par with the neighbouring land owner, in the event if any compensation is fixed as stated by the petitioner at Rs.240/- sq.ft. for the neighbouring land owner. The said exercise shall be carried out within a period of twelve weeks from the date of receipt of a copy of this order.

7. This Writ Petition is disposed of with the above terms. No costs.

03-06-2026

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



To

1. The Chief Engineer
(Water Resource Organization), Chepauk,
Chennai-600 005.
2. The Principal Secretary
The commissioner of land administration, Ezhilagam, Chepauk,
Chennai-5.
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KRISHNAN RAMASAMY, J.

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