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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02-03-2026

CORAM

**THE HONOURABLE MR.JUSTICE C.V. KARTHIKEYAN
And
THE HONOURABLE MR. JUSTICE K.RAJASEKAR**

A.S. Nos.599 to 610 of 2017

A.S. No.599 of 2017

The Special Tahsildar (LA),
Salem – Karur Broad Gauge,
Railway Line Project, Unit – II,
Namakkal.

... Appellant/ Respondent

-vs-

1. V.K. Periyasami

... Respondent/ Claimant

2. The Deputy Chief Engineer,
(Construction), Southern Railway,
Salem- Karur Broad Gauge
Line Project, Sooramangalam,
Salem – 5.

... Respondent/ Respondent

A.S. No.600 of 2017

The Special Tahsildar (LA),
Salem – Karur Broad Gauge,
Railway Line Project, Unit – II,
Namakkal.

... Appellant/ Respondent

-vs-

1. K. Rajamanickam

... Respondent/ Claimant



A.S. Nos.599 to 609 of 2017

2. The Deputy Chief Engineer,
(Construction), Southern Railway,
Salem- Karur Broad Gauge
Line Project, Sooramangalam,
Salem – 5.

... Respondent/ Respondent

A.S. No.601 of 2017

The Special Tahsildar (LA),
Salem – Karur Broad Gauge,
Railway Line Project, Unit – II,
Namakkal.

... Appellant/ Respondent

-VS-

1. R. Sakthivel
2. The Deputy Chief Engineer,
(Construction), Southern Railway,
Salem- Karur Broad Gauge
Line Project, Sooramangalam,
Salem – 5.

... Respondent/ Claimant

... Respondent/ Respondent

A.S. No.602 of 2017

The Special Tahsildar (LA),
Salem – Karur Broad Gauge,
Railway Line Project, Unit – II,
Namakkal.

... Appellant/ Respondent

-VS-

1. A. Anandhan
2. The Deputy Chief Engineer,
(Construction), Southern Railway,
Salem- Karur Broad Gauge
Line Project, Sooramangalam,

... Respondent/ Claimant



A.S. Nos.599 to 609 of 2017

Salem – 5.

... Respondent/ Respondent

A.S. No.603 of 2017

The Special Tahsildar (LA),
Salem – Karur Broad Gauge,
Railway Line Project, Unit – II,
Namakkal.

... Appellant/ Respondent

-vs-

A. Chettianna Gounder (Died)

1. Pavayammal
2. Kanagam
3. Sekar @ Periyasami

... Respondents/ Claimant

4. The Deputy Chief Engineer,
(Construction), Southern Railway,
Salem- Karur Broad Gauge
Line Project, Sooramangalam,
Salem – 5.

... Respondent/ Respondent

A.S. No.604 of 2017

The Special Tahsildar (LA),
Salem – Karur Broad Gauge,
Railway Line Project, Unit – II,
Namakkal.

... Appellant/ Respondent

-vs-

1. K. Kaliannan

... Respondent/ Claimant

2. The Deputy Chief Engineer,
(Construction), Southern Railway,
Salem- Karur Broad Gauge
Line Project, Sooramangalam,
Salem – 5.

... Respondent/ Respondent



A.S. Nos.599 to 609 of 2017

A.S. No.605 of 2017

The Special Tahsildar (LA),
Salem – Karur Broad Gauge,
Railway Line Project, Unit – II,
Namakkal.

-vs-

... Appellant/ Respondent

1. K. Athiannan

... Respondent/ Claimant

2. The Deputy Chief Engineer,
(Construction), Southern Railway,
Salem- Karur Broad Gauge
Line Project, Sooramangalam,
Salem – 5.

... Respondent/ Respondent

A.S. No.606 of 2017

The Special Tahsildar (LA),
Salem – Karur Broad Gauge,
Railway Line Project, Unit – II,
Namakkal.

-vs-

... Appellant/ Respondent

1. K. Athiannan

... Respondent/ Claimant

2. The Deputy Chief Engineer,
(Construction), Southern Railway,
Salem- Karur Broad Gauge
Line Project, Sooramangalam,
Salem – 5.

... Respondent/ Respondent

A.S. No.607 of 2017

The Special Tahsildar (LA),
Salem – Karur Broad Gauge,



A.S. Nos.599 to 609 of 2017

Railway Line Project, Unit – II,
Namakkal.

... Appellant/ Respondent

-VS-

1. N. Vengadesan

... Respondent/ Claimant

2. The Deputy Chief Engineer,
(Construction), Southern Railway,
Salem- Karur Broad Gauge
Line Project, Sooramangalam,
Salem – 5.

... Respondent/ Respondent

A.S. No.608 of 2017

The Special Tahsildar (LA),
Salem – Karur Broad Gauge,
Railway Line Project, Unit – II,
Namakkal.

... Appellant/ Respondent

-VS-

1. Sengoda Gounder

... Respondent/ Claimant

2. The Deputy Chief Engineer,
(Construction), Southern Railway,
Salem- Karur Broad Gauge
Line Project, Sooramangalam,
Salem – 5.

... Respondent/ Respondent

A.S. No.609 of 2017

The Special Tahsildar (LA),
Salem – Karur Broad Gauge,
Railway Line Project, Unit – II,
Namakkal.

... Appellant/ Respondent

-VS-



A.S. Nos.599 to 609 of 2017

A. Periyanna Gounder (Died)

1. A. Venkatesh
2. P. Anbarasu

... Respondents/ Claimant

3. The Deputy Chief Engineer,
(Construction), Southern Railway,
Salem- Karur Broad Gauge
Line Project, Sooramangalam,

Salem – 5.

... Respondent/ Respondent

A.S. No.610 of 2017

The Special Tahsildar (LA),
Salem – Karur Broad Gauge,
Railway Line Project, Unit – II,
Namakkal.

... Appellant/ Respondent

-vs-

1. Komuru Gounder
2. K. Kolanda Gounder

... Respondents/ Claimants

3. The Deputy Chief Engineer,
(Construction), Southern Railway,
Salem- Karur Broad Gauge
Line Project, Sooramangalam,
Salem – 5.

... Respondent/ Respondent

Prayer: First Appeals filed under Section 54 of Land Acquisition Act to set aside the decree passed in L.A.O.P. Nos.02 to 12 of 2008 dated 04.04.2012, on the file of the Sub Court, Rasipuram.



A.S. Nos.599 to 609 of 2017

For Appellant in all Cases : Mr. G. Nanmaran
(Special Government Pleader)

For R1 in all cases : Mr. P. Jagadeesan

For R2 in all cases : Mr. P.T. Ramkumar
(Standing Counsel for Railways)

COMMON JUDGMENT

[Order of the Court was made by K. RAJASEKAR, J.]

The issues involved in the First Appeals are one and the same, hence, they are disposed of by this common judgment. These appeals are filed by the Acquisition Officer/ First Respondent in all the Original Petitions, challenging the enhanced compensation fixed by the Land Acquisition Tribunal.

<i>L.A.O.P. Nos.</i>	<i>Dated</i>	<i>Special Court No.</i>	<i>In A.S.Nos.</i>
L.A.O.P.No.2/2008	04.04.2012	Sub Court, Rasipuram	A.S.No.599/2017
L.A.O.P.No.3/2008	04.04.2012	Sub Court, Rasipuram	A.S.No.600/2017
L.A.O.P.No.4/2008	04.04.2012	Sub Court, Rasipuram	A.S.No.601/2017
L.A.O.P.No.5/2008	04.04.2012	Sub Court, Rasipuram	A.S.No.602/2017
L.A.O.P.No.6/2008	04.04.2012	Sub Court, Rasipuram	A.S.No.603/2017
L.A.O.P.No.7/2008	04.04.2012	Sub Court, Rasipuram	A.S.No.604/2017
L.A.O.P.No.8/2008	04.04.2012	Sub Court, Rasipuram	A.S.No.605/2017
L.A.O.P.No.9/2008	04.04.2012	Sub Court, Rasipuram	A.S.No.606/2017
L.A.O.P.No.10/2008	04.04.2012	Sub Court, Rasipuram	A.S.No.607/2017
L.A.O.P.No.11/2008	04.04.2012	Sub Court, Rasipuram	A.S.No.608/2017
L.A.O.P.No.12/2008	04.04.2012	Sub Court, Rasipuram	A.S.No.609/2017



A.S. Nos.599 to 609 of 2017

<i>L.A.O.P. Nos.</i>	<i>Dated</i>	<i>Special Court No.</i>	<i>In A.S.Nos.</i>
L.A.O.P.No.13/2008	04.04.2012	Sub Court, Rasipuram	A.S.No.610/2017

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2. On the requisition from the Indian Railways, the Tamil Nadu State Government had approved a draft notification u/s 4(1) of the Land Acquisition Act, 1874 in G.O.Ms.No.22, Transport Department dated 18.01.1999 and published in the Tamil Nadu Government Gazette extra ordinary No.49 part II Section-2 @ page 4 and 5, dated 21.01.1999, thereby acquired lands, situated at Keeranoor village of Rasipuram Taluk, Namakkal District, for the purpose of laying BG Railway line between Karur and Salem. The Land Acquisition Officer (hereinafter LAO) had conducted separate enquiry for fixing compensation for the lands acquired, and after hearing the parties, fixed the value of the lands acquired from the Keeranoor village by award in S.No.1 to 14 dated 14.09.1999.

3. Aggrieved over the quantum of compensation, the land owners filed original petitions, seeking enhancement of compensation before the Land Acquisition Tribunal, Namakkal. Before the Tribunal, the claimants have examined as C.W.1 to C.W.8 and Exs.C.1 to C.27 were marked and on the side of the respondents, R.W.1 was examined and Exs.R.1 to R4 were marked. Though the



claimants have demanded Rs.100/- per square feet as compensation, the Land Acquisition Tribunal, after examining the witnesses and documents placed on record and after elaborate enquiry, fixed Rs.25/- per square feet as just compensation. Further, the Tribunal has also ordered 30% solatium along with applicable interest.

4. Aggrieved over the enhancement of compensation awarded by the Land Acquisition Tribunal, the Land Acquisition Authority preferred these appeal suits before this Court.

5. The learned counsel appearing for the appellant submitted that, the Tribunal has not properly considered the documentary evidence produced and also categorical guidelines prescribed in the Act, for fixing the market value. According to him, the appropriate value given by the Land Acquisition Officer is Rs.84,848/- per hectare and the same is just and fair, hence prays to set aside the award of the Tribunal.

6. The learned counsel for the respondents/ land owners, in turn submitted that the compensation fixed for the lands acquired, by the Tribunal is



only Rs.25/- per square feet, which is very minimal and they have also filed separate cross objections in all the matters, seeking enhancement of the compensation fixed by the Land Acquisition Tribunal. According to them, for the very same railway line project, the value of the lands, which were acquired from the Vengampatti village was fixed as Rs.50/- per square feet by this Court, vide common judgment dated 30.08.2010 in batch of appeals in A.S.Nos.198, 200 to 223 of 2007, A.S.Nos.992 to 999 of 2008 and 377 of 2010, hence the very same value have to be fixed for the lands acquired from the Keeranoor village also. They have also referred various citations in respect of the same.

7. We have also gone through the aforesaid common judgment dated 30.08.2010, passed by this Court, in which the learned Single Judge, while deciding the land situated in Vengampatti village for the very same project had specifically recorded and considered the location of the land acquired in that case and also based on his reasoning in view, the observations made by the Division Bench of this Court while fixing the fair market value for Ammani Kondalampatti village, under very same railway project. The demand made by the petitioners therein in their Cross Objections was to grant Rs.100/- per square feet, as compensation. The learned Single Judge, while fixing the compensation of Rs.50/- per square feet, has



observed in paragraphs No.28 to 30 as follows:

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“28. In the light of the above legal precedents and factual matrix, the compensation fixed by the Reference Court is not in commensurate with the market value of the lands acquired and it requires further enhancement since S.No.54 was value at Rs.45/-, which is dated 26.08.1997. In the present case, Section 4(1) notification came to be issued on 01.03.1999 after 2 years and that would have gone for appreciation. Considering the development taking place in the village, if 10 % increase is given on an annual basis, then the compensation will be Rs.50/- per sq. ft. As held by the Supreme Court in Nelson Fernandes case (cited supra) for laying town railway line, there cannot be any development charges.

29. The Supreme Court in its latest judgment in Special Land Acquisition Officer V. Karigowda and others reported in (2010) 5 SCC 708 held that the purpose for which land is acquired and the valuation in the adjoining villages also can be considered. In paragraphs 75 to 77 the Supreme Court held as follows:

75. It is a settled principle of law that lands of adjacent villages can be made the basis for determining the fair market value of the acquired land. This principle of law is qualified by clear dictum of this Court itself that whenever direct evidence i.e., instances of the same villages are available, then it is most desirable that the Court should consider that evidence. But where such evidence is not available Court can safely rely upon the sales statistics of adjoining lands provided that instances are comparable and the potentiality and location of the land is somewhat similar. The evidence tendered in relation to the land of the adjacent villages would be a relevant piece of evidence for such determination. Once it is shown that situation and potential of the land in two different villages are the same then they could be awarded similar compensation or such other compensation as would be just and fair.

76. The cases of acquisition are not unknown to our legal



system where lands of a number of villages are required for the same public purpose or different schemes but on the commonality of purpose and unite development. The parties are expected to place documentary evidence on record that price of the land of adjoining villages has an increasing trend and the Court may adopt such a price as the same is not impermissible. Where there is commonality of purpose and common development, compensation based on statistical date of adjacent villages was held to be proper. Usefully, reference can be made to the judgments of this Court in Kanwar Singh vs. Union of India and Union of India vs. Bal Ram.

77. In this regard we may also make a reference to the judgment of this Court in Kanwar Singh vs. Union of India where sale instances of the adjacent villages were taken into consideration for the purpose of determining the fair market value of the land in question and their comparability, potential and acquisition for the same purpose was hardly in dispute. It was not only permissible but even more practical for the Courts to take into consideration the sale statistics of the adjacent villages for determining the fair market value of the acquired land.

30. In the very same railway line project for the lands taken over from Ammani Kondalapatti Village, an uniform rate of Rs.100/- per sq.ft was approved by a Division Bench of this Court. Though the same rate cannot be considered in respect of Vengampatti village from which the present claimants have lost their lands, in view of the distance from the Salem town, the claimants cannot altogether be denied any relief. Therefore, this Court is of the view that an uniform rate of Rs.50/- per sq.ft can be fixed in respect of the lands which were acquired considering the purpose for which acquisition has been made and that the substantial sale transactions in that area had taken place and the lands were sold only as house sites.”

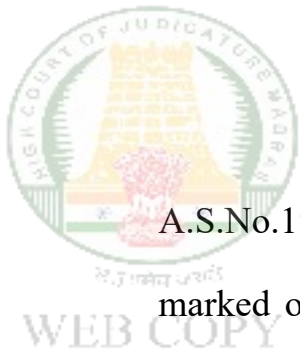
8. In this case, the lands situated at Keeranoor village, which falls within the Taluk of Rasipuram were acquired for the aforesaid Railway project. Though,



several sale deeds were marked as exhibits before the Tribunal, all those documents and the sale deeds of the data lands were taken note of by the Tribunal, but the Tribunal had fixed the compensation as Rs.25/- per square feet for the lands acquired, Tribunal is also of the view that the acquired lands were situated somewhat distance from the Salem town and also by considering the proximity from the Salem town.

9. Though, the claimants have made an attempt to convince this Court, to fix the compensation for the lands acquired as Rs.50/- per square feet, as ordered by this Court in the earlier batch of appeals in A.S.Nos.198 of 2007 dated 30.08.2010. The subject lands in A.S.No.198 of 2007 situated at Vengampatti village, which is situated 7 kilometers away from the Salem Town and 5 kilometers from Amani Kondalampatti village. However, the present appeal concerned with lands acquired with the Keeranoor village, which is situated somewhat further distance from the Vengampatti Village, hence the claimants are not entitled to claim compensation equivalent to the lands acquired from Vengampatti village and same is not applicable to this case.

10. The Tribunal has also considered the order passed by this Court in



A.S.No.198 of 2007 batch and held that there are certain exhibits (sale deeds) were marked on both sides to show that the data land and the sale deed relied for the purpose of passing award by the Land Acquisition Officer is not proper and fixed the compensation as Rs.25/- per square feet. We have also gone through the sale deeds and other documents marked, which pertains to house cites and also registered in different periods. The Tribunal has also taken note of the fact that, since acquired lands in this case, is situated very far away from the Salem Town and comparing the distance between the other lands acquired in the Vengampatti Village and the distance between the present subject land, the Tribunal had fixed a fair compensation, hence we are of the view that the said approach is proper.

11. The Tribunal has also taken note of the fact that, some of the lands are covered under the very same award are also covered under severance compensation and accordingly, depending upon the size of the lands, which were severed, due to laying of railway lines, the Tribunal has fixed severance compensation as Rs.10 lakhs per hectare, which need not be interfered, since the Tribunal has elaborately considered and fixed a just and fair compensation. Therefore, we are of the view that there is no infirmity in the findings rendered and the compensation fixed by the Tribunal is just and fair.



A.S. Nos.599 to 609 of 2017

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12. The acquisition proceedings were of the year 1999 and to give quietus to the issue and also accepting the reasons given by the Tribunal, for granting severance compensation, we are of the view that the same is liable to be confirmed and further the other compensations granted under various heads is also hereby confirmed. Therefore, we do not find any merits in these appeals filed by the Land Acquisition Officer, to reduce the compensation fixed by the Tribunal.

13. In the result, the appeals are dismissed. Consequently, connected civil miscellaneous petition, if any stands closed. There shall be no order as to costs.

(C.V. KARTHIKEYAN, J.) (K.RAJASEKAR,

J.)

02-03-2026

Index : Yes/No
Internet: Yes/No
Speaking order/Non-Speaking order
Neutral Citation : Yes/No
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A.S. Nos.599 to 609 of 2017

To

1. The Subordinate Judge, Rasipuram.
2. The Special Tahsildar (LA),
Salem – Karur Broad Gauge,
Railway Line Project, Unit – II,
Namakkal.
3. The Deputy Chief Engineer,
(Construction), Southern Railway,
Salem- Karur Broad Gauge
Line Project, Sooramangalam,
Salem – 5.
4. The Section Officer,
V.R. Section,
High Court of Madras.



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