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WP No. 30484 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-01-2026

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THE HON'BLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY

WP No. 30484 of 2024

S.Kamini

..Petitioner

Vs

1. The Secretary To Government
Industries Department, Secretariat,
Fort St. George, Chennai-600 009.
2. The District Collector
Collectorate, Kanchipuram.
3. The Special District Revenue Officer (L.A)
Oragadam & Irunkattukottai Schemes,
SIPCOT Irunkattukottai Complex,
Irunkattukottai, Kanchipuram District.
4. The Special Tahsildar
Land Acquisition, SIPCOT Unit,
Irunkattukottai, Sriperumbudur Taluk,
Kancheepuram District.
5. State Industries Promotion Corporation of
Tamil Nadu (SIPCOT)
Rep. By Its Chairman And Managing Director,
19A, Rukmani Lakshmipathy Road,
Egmore, Chennai-600 008.

..Respondents

Writ of mandamus directing the respondents to pay the petitioner adequate compensation for the lands measuring an extent of 3,960 sq.ft., in Plot Nos.91 and 92 in Subashri Nagar layout, comprised in Survey Numbers 27/1A and 28/1A, Pondur Village, Sriperumbudur Taluk, Kancheepuram District



acquired by the 4th respondent for the use of 5th respondent commensurate to the prevailing market value in a time bound manner.

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For Petitioner: Mr.A.Mohamed Ismail

For RR1 to 4: Mr.P.Sathish AGP

For R5: Mr.Abishek Murthy Govt. Advocate

ORDER

The petitioner seeks payment of adequate compensation for the acquisition of 3,960 sq.ft. in Plot Nos.91 and 92 in Subashri Nagar layout, comprised in Survey Numbers 27/1A and 28/1A, Pondur Village, Sriperumbudur Taluk, Kancheepuram District.

2. The petitioner asserts that the above mentioned land was acquired under the Land Acquisition Act, 1894 pursuant to issuance of the notification under Section 4(1) thereof on 08.09.1997 followed by a declaration published on 14.10.1997 and Award dated 30.06.1999. In spite of the lapse of about 25 years from the date of the Award, the petitioner submits that the compensation has not been paid till date.

3. Learned counsel for the petitioner invited my attention to the judgment of the Hon'ble Supreme Court in ***Bernard Francis Joseph Vaz and others vs. Government of Karnataka and others*** (MANU/SC/0001/2025) to contend that the court is empowered to direct that compensation be redetermined by shifting the date of determination of the market value. The learned counsel relies on



paragraphs 42 to 53 of the judgment in support of the request for revising the date for fixing the market value.

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4. Learned Additional Government Pleader responded to those contentions by relying on the counter affidavit. He points out that the Award was issued on 30.06.1999 and notice was sent to the awardees, including the petitioner, by despatching the same to the last known address. The learned Additional Government Pleader also submits that the award amount was deposited in the revenue deposit and could not be disbursed to the petitioner because the petitioner did not come forward to surrender the original documents and claim the compensation. Due to the lapse of time, he submits that the revenue deposit has lapsed. He further submits that the compensation would be disbursed to the petitioner within the time fixed by this court.

5. In the case on hand, the compensation was determined in June 1999 and the award amounts were kept in revenue deposit. The petitioner filed W.P.No.44473 of 2006 seeking reference under Section 18 of the Land Acquisition Act. The petitioner was not successful in the endeavour to seek enhanced compensation because the petitioner had approached the authorities belatedly. The matter was sought to be resurrected by filing another writ petition in W.P.No.37000 of 2007, which was, subsequently, withdrawn by the petitioner. One more writ petition was filed in W.P.No.11139 of 2024 seeking to declare the proceedings as having lapsed under Section 24(2) of the Act 30/2013. The said writ petition was dismissed on 16.03.2021.

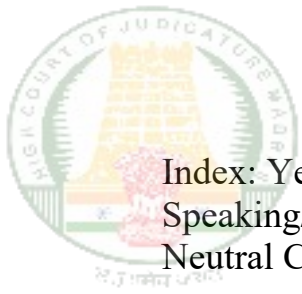


6. The learned counsel for the petitioner relied strongly on the judgment in ***Bernard Francis Joseph Vaz and others vs. Government of Karnataka and others*** (MANU/SC/0001/2025) to contend that this court should exercise its extraordinary jurisdiction under Article 226 of the Constitution of India.

7. In the said judgment, at para 51, the Supreme Court took note of the fact that the compensation was determined by the SLAO on 22.04.2029 only after notices were issued in the contempt proceedings. In those circumstances, after advertng to the situation, the Supreme Court exercised its power under Article 142 of the Constitution of India so as to do complete justice. The facts of the said case are clearly distinguishable from the facts of the case on hand. Besides that the power was exercised under Article 142 of the Constitution.

8. Nonetheless, the fact that the petitioner has not received the compensation till date cannot be disregarded. The value of money, undoubtedly, declined over time. Therefore, the petitioner is entitled to interest from the date of the award. Therefore, this writ petition is disposed of by directing the fourth respondent to disburse the compensation to the petitioner alongwith statutory interest thereon within two months from the date of receipt of a copy of this order. The fifth respondent is directed to ensure that necessary funds are placed with the fourth respondent to enable disbursement within the time limit fixed above. No costs.

20-01-2026



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

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To

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