



WEB COPY

WP No. 33975 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-03-2026

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THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 33975 of 2023

D.Rajendran

..Petitioner(s)

Vs

1. District Collector,
Land Acquisition Division,
District Collector Office, Villupuram.

2. The Special Tahsildar,
Land Acquisition Division, Dindivanam.

..Respondent(s)

Prayer: This writ petition is filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents to consider the representation of the petitioner dated 24.04.2023 and to dispose of the same in accordance with law.

For Petitioner(s) : Mr.G.Veerapathiran

For Respondent(s) : Mr.T.K.Saravanan, AGP

ORDER

This writ petition was filed to consider the petitioner's representation dated 24.04.2023.

2. Learned counsel for the petitioner would submit that in the present case, the representation dated 24.04.2023 was made to determine the compensation for the land acquired by the respondents on par with the rate fixed



for the neighbouring land. However, the said representation was not considered, as on date. Hence, this writ petition.

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3. Learned Additional Government Pleader appearing for the respondents would submit that the petitioner has not submitted an application within a stipulated time frame. Accordingly, he prays for appropriate orders.

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

5. The issue in this writ petition is no longer *res-integra* and the same is covered by the dictum laid down by this Court in W.P.No.42691 of 2025 dated 11.11.2025. For better appreciation, the relevant portions of the said order 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."

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 redetermination 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.

6. Accordingly, this Court pass the following orders:-

- i) The impugned order passed by the first respondent dated 26.09.2025 is set aside.*
- ii) Consequently, the first respondent is directed to re-determine the compensation payable to the petitioner on par with enhanced compensation awarded by the learned*



*Sub Judge, Kancheepuram in L.A.O.P.No.22 of 2015 on 01.09.2018 and confirmed by this Court in A.S.No.333 of 2021 vide judgement dated 07.01.2022 by 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.*

iii) The aforesaid exercise shall be completed by the first respondent within a period of eight weeks from the date of receipt of a copy of this order.

6. In view of the law laid down by this Court in the aforesaid order dated 11.11.2025, this Court directs the respondents to re-determine the compensation within a period of eight weeks from the date of receipt of a copy of this order.

7. With the aforesaid direction, this writ petition stands disposed of. No costs.

05-03-2026

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

VM

To:

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Land Acquisition Division,
District Collector Office, Villupuram.
2. The Special Tahsildar,
Land Acquisition Division,
Dindivanam.



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KRISHNAN RAMASAMY, J.

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