



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-06-2026

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THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 41803 of 2025

and W.M.P.No.46836 of 2025

Pawan Kanwar
W/o.Shri Sohanlal, No.19/8a, Reddy Street,
Villivakkam, Chennai-49.

..Petitioner(s)

Vs.

1. The Secretary,
Housing and Urban Development Department,
Government Of Tamil Nadu, Secretariat, Fort
St.George, Chennai-09
2. The Managing Director,
Chennai Metro Rails Ltd, (Metros),
Administrative Office, Anna Salai, Nandanam,
Chennai-35.
3. The District Collector,
Collector Office, M.Singaravelan Maaligai, 62,
Rajaji Salai, Chennai-01.
4. The District Revenue Officer and LO,
Chennai Metro Rail Ltd. (Metros),
Administrative Office, Annasalai, Nandanam,
Chennai - 35.
5. The Special Tahsildar (LA) And Land
Acquisition Officer,
Chennai Unit Ii, Chennai Metro Rail Ltd.
(Metros), Anna Salai, Nandanam, Chennai-35.

..Respondent(s)



PRAYER: The Writ Petition is filed under Article 226 of the Constitution of India seeking the issuance of a Writ of Certiorarified Mandamus calling for the records of the fourth respondent by his proceedings in Rc No.1045/LND/LC-1/CMRL 2024 dated 08.10.2025 and quash the same and consequently direct the fourth respondent to pay the compensation for the land in T.S. No.22 in new door No.19/8A, Villivakkam village, Sembiam Sub district situated at Door No.8/1 and 8/2, Reddy street, Villivakkam, Chennai-49 in Old Survey No.11/A-7B.

For Petitioner(s): Mr. N.Srinivasan

For Respondent(s): Mr. B. Pachaiyappan

Government Counsel for R1, R3, R4 to R6

ORDER

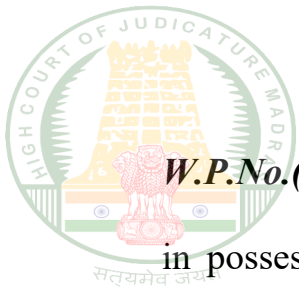
The present Writ Petition has been filed seeking the issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the proceedings of the 4th respondent in Rc No.1045/LND/LC-1/CMRL 2024 dated 08.10.2025, quash the same and consequently direct the 4th respondent to pay compensation for the land in T.S. No.22, New Door No.19/8A, Villivakkam Village, Sembiam Sub-District, situated at Door No.8/1 and 8/2, Reddy street, Villivakkam, Chennai-49, in Old Survey No.11/A-7B.



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2. The learned counsel for the petitioner would submit that the impugned order rejecting the petitioner's claim for compensation in respect of the land is unsustainable in law. The respondents declined to award compensation on the ground that the property is classified as Grama Natham land. Though a sum of Rs.20,99,752/- was paid towards part compensation for the superstructure and a further sum of Rs.10,75,356/- remains payable towards the balance compensation for the superstructure, no compensation was determined or awarded for the land measuring 63 sq.metres. Aggrieved by the same, present Writ Petition has been filed.

3. The petitioner further submitted that in view of the definitions of "owner" and "person interested" under Sections 2(g) and 2(h) of the Tamil Nadu Acquisition of Land for Industrial Purpose Act, 1997 (hereinafter, called to as "the Act, 1997"), he is entitled to compensation for the subject land. It was contended that even assuming that the petitioner is not the recorded owner, his undisputed possession and enjoyment of the property, coupled with the existence of the superstructure constructed by him, entitle him to compensation. Reliance was also placed on the Full Bench judgment ***dated 06.03.2026*** in



W.P.No.(MD).Nos.19720 of 2017 etc., batch, wherein it was held that a person in possession of Grama Natham land is entitled to ownership rights and the consequential benefits thereof. Accordingly, the petitioner is the owner of the property measuring 63 sq.metres of land and he is entitled for the compensation. He therefore, contended that the impugned order is liable to be set aside.

4. The learned Government Counsel appearing for the respondents would fairly submit that in view of the aforesaid Full Bench judgment, the petitioner is entitled to compensation for the extent of 63 sq.metres. of Grama Natham land in his possession. However, since no notice under Section 4(2) of the Act, 1997, had been issued earlier, the compensation could not be determined. The respondents undertook to issue the requisite notice, determine the compensation payable for the land, and disburse the same together with the balance compensation of Rs.10,75,356/- payable towards the superstructure.

5. Heard the learned counsel appearing for the petitioner and the learned Government Counsel appearing for the official respondents and perused the materials placed before this Court.



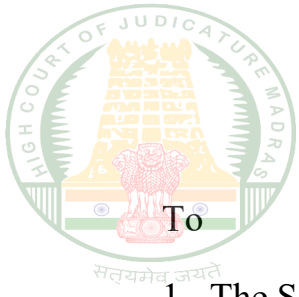
6. Considering the submissions made and the materials available on record, this Court held that in light of the Full Bench decision, Grama Natham land cannot be treated as Government property and the person in possession thereof is entitled to be recognised as its owner. As there is no dispute regarding the petitioner's possession and enjoyment of the subject property measuring 63 sq.metres, he is entitled to compensation both for the land and the superstructure standing thereon. Consequently, the impugned order dated 08.10.2025 passed by the 4th respondent is set aside. While setting aside the impugned order, this Court directs the respondents to issue notice under Section 4(2), pass an award determining compensation for the land and the superstructure, and disburse the award amount after adjusting the sum of Rs.20,99,752/- already paid to the petitioner

7. Accordingly, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, the connected Miscellaneous Petition is closed.

11-06-2026

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

Asi



To

1. The Secretary,
Housing and Urban Development Department,
Government Of Tamil Nadu, Secretariat, Fort
St.George, Chennai-09
2. The Managing Director,
Chennai Metro Rails Ltd, (metros),
Administrative Office, Anna Salai, Nandanam,
Chennai-35.
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Chennai Unit II, Chennai Metro Rail Ltd.
(Metros), Anna Salai, Nandanam, Chennai-35.



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WP No. 41803 of 2



KRISHNAN RAMASAMY, J.

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