



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-03-2026

CORAM

THE HONOURABLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 31133 of 2018

AND

WMP NO. 36330 OF 2018

1.J.Navaneetham,
Wife of Late R.Jaganathan,
No.B2/6, Judges Quarters, Egmore,
Chennai-600 008.

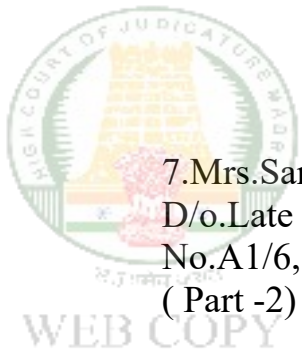
2. J.Selvarani,
Daughter of Late R.Jaganathan,
No.B2/6, Judge's Quarters, Egmore,
Chennai-600 008.

3.J.Saraladevi (deceased)
D/o. Late R.Jaganathan,
No.B2/6, Judge's Quarters, Egmore,
Chennai-600 008.

4.J.Sridevi,
Daughter of Late R.Jaganathan,
No.B2/6, Judge's Quarters, Egmore,
Chennai-600 008.

5.K.P.Gangatharan,
H/o. Late Saraladevi,
No.A1 /6, Judges Quarters, Egmore
(Part -2) Village, Chennai 600 008.

6.K.P.Sagesh,
S/o.K.P.Gangatharan,
No.A1 /6, Judges Quarters, Egmore
(Part -2) Village, Chennai 600 008.



7.Mrs.Sanitha,
D/o.Late Saraladevi,
No.A1/6, Judges Quarters, Egmore
(Part -2) Village, Chennai 600 008.

(P5 To P7 Are Substituted As Lrs Of
Deceased P3, As Per Order Dated
13.06.2024 In WMP.6871/2024 In
WP.31133/2018 By JSNPJ)

Petitioner(s)

Vs

1. The State of Tamil Nadu,
Rep by its Secretary Industries Department
Fort.St.George, Chennai-600 009.

2.The District Collector,
Kancheepuram and District.

3.The Special Tahsildar
(Land Acquisition),
SIPCOT Irungattukottai Extension Scheme,
Unit III Sriperumbudur, Kancheepuram District.

4.The State Industries Promotion Corporation,
Of Tamil Nadu Limited, Rep. By Its Chairman,
Couns, Egmore, Chennai 600 008.

(R4-impealed As Per Order Dated 12.07.2024
In WMP.19799/2024 In WP.31133/2018 By
JSNPJ)

Respondent(s)

PRAYER:-Writ Petition filed under Article 226 of the Constitution of India,
praying for an issuance of Writ of Certiorari, calling for records to the
G.O.Ms.No.62, Industries (SIPCOT-LA), dated 12.03.2018 published in the
Tamil Nadu Government Gazette Extraordinary Part II, Section-2 dated



12.03.2008 of the 1st respondent and the award of the 2nd respondent dated 08.08.2013 quash the same only in so far as relates to the Petitioners land measuring 0.02.0 hectare in S.No.297B-6, at 102 Vengadu Village, Sriperumpudur Taluk, Kancheepuram District.

For Petitioner(s): Mr.K.Selvaraj

For Respondent(s): Mr.P.Sathish
Additional Government Pleader
For R1 & R2

Mr.Ramesh Venkatachalapathy
Standing Counsel For R3

ORDER

Challenging the G.O.Ms.No.62, Industries (SIPCOT-LA), dated 12.03.2018 published in the Tamil Nadu Government Gazette Extraordinary Part II, Section-2 dated 12.03.2008 issued by the 1st respondent and the award of the 2nd respondent dated 08.08.2013, the present writ petition has been filed.

2.Learned counsel for the petitioners would submit that the 1st petitioner's husband died on 20.09.1991. The subject property was purchased by the 1st petitioner's husband and after his death revenue records were mutated in the name of the 1st petitioner. Even after the mutation of the revenue records, the 3rd respondent has issued the acquisition notice in the name of the 1st petitioner's husband and without providing any opportunity to the petitioners the award was



passed on 08.08.2013, which is violation of principles of natural justice. He would further submit that the possession of the subject property was taken over after the commencement of new Act. Therefore, the petitioner is entitled for the compensation under the new Act viz., The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

3.Learned counsel appearing for the 3rd respondent would submit that the possession was taken over in the year 2008 itself and the award was passed on 08.08.2013. Therefore, the application of the new act would not warranted.

4.Heard the learned counsel for the petitioner; learned Additional Government Pleader appearing for the respondents 1 and 2 and the learned Standing Counsel appearing for the 3rd respondent.

5.Considering the submissions made by both parties, it is evident that there is no dispute on the aspect of the acquisition made in respect of the subject property. Further, even after the mutation of revenue records in the name of the 1st petitioner, an *ex parte* award has been passed in the name of the dead person, the husband of the 1st petitioner. Therefore, as rightly contended by the petitioner, if at all the possession was taken over in the year 2008, the award dated 08.08.2013 has been passed *ex parte* without affording any opportunity to the petitioners. In the meantime, on 01.01.2014, The Right to Fair



Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 has come into force. Therefore, certainly, the petitioner is entitled to get a compensation under the New Act.

6.In view of the above, since the award has been passed *ex parte*, this Court is inclined to set aside the same and remand the matter back to the 2nd respondent. Accordingly, the impugned award dated 08.08.2013, is hereby set aside and the matter is remanded back to the 2nd respondent. The 2nd respondent is directed to consider the same and pass award after determining the compensation under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

7.In the result, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

25-03-2026

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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



To

WEB COPY

- 1.The Secretary,
Industries Department, Fort.St.George,
Chennai-600 009.
- 2.The District Collector,
Kancheepuram and District.
- 3.The Special Tahsildar
(Land Acquisition)
SIPCOT Irungattukottai Extension Scheme,
Unit III Sriperumbudur,
Kancheepuram District.
- 4.The Chairman,
The State Industries Promotion Corporation
Of Tamil Nadu Limited,
Couns, Egmore, Chennai 600 008.



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KRISHNAN RAMASAMY J.

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