In the Court of the Principal District Judge at Kanchipuram

Present: Thiru. S. Nagarajan, M.L.,

Principal District Judge, Kanchipuram

Wednesday, the 19th day of July 2026

L.A.O.P. No. 98/2024

(CNR. No. TNKP060021042024)

Thiru. K. Govindasamy ... Claimant

Vs.

1. The Special Tahsildar , (L.A)
Oragadam Existing Scheme
TACID Division, SIPCOT
Sriperumbudur
Kancheepuram District. ... 1st Respondent/ Referring Authority

2. The Managing Director,
SIPCOT
No. 19-A, Rukmani Lakshmipathy Salai
Egmore, Chennai-600008
... 2nd Respondent/Requisition Body

This L.A.OP. is coming on this day 16.07.2026 for final hearing before me in the presence of M/s. K. Nagaraj, G. Padmini, N. Sethu raghavan, D. Karthika, Advocates for claimant and Thiru. P. Sathyanarayanan, Special Government Pleader for 1st Respondent/Referring Authority and Thiru. S. Magarani, appearing for 2nd Respondent/Requisition body and upon perusing the documents and evidences of both sides and hearing the arguments of both sides and having stood over for consideration till this day this court delivered the following

ORDER

Reference under s.64 of the RFCTLARR Act, 2013 (hereinafter referred to as the 2013 Act) in respect of the land acquired in S. No. 16/4 to the extent of hectare 0.03.34 in Panruti A Village, Sriperumpudur Taluk seeking enhancement of the compensation awarded under the Final Award No. 1/2015 dated 01.11.2021.

Brief averments in the claim statement:

2. The claimant's wife is the sole and absolute owner of the land comprised in S. No. 16/4 measuring 3600 sq.ft. Bearing plot No. 443, VGP Mount View Layout, situated in Panruti Village, Sriperumpudur Taluk, Chengalpet Distrct, she having purchased the said property by way of sale deed dated 29.04.1998. As the owner died the claimant who is the husband became the absolute owner of the property. As per G.O. (Ms) No. 209 Industries (SIPCOT-LA) department dated 18.11.2008 sanction was granted for acquisition of 7.51.5 hectares of patta land comprised in survey No. 15, 16 and 17 of Panruti A Village in favour of the 2nd respondent under the Tamil Nadu Land Acquisition for Industrial Purposes Act, 1997 (hereinafter referred to as 1997 Act) for formation of Oragadam Industrial Complex. The 1st respondent issued notice under s.3(2) of the 1997 Act on 20.08.2009. No notice of enquiry was given and no objections were called for. Vide G.O. (Ms.) No. 81, Industries (SIPCOT-LA) Department dated 07.09.2010 the acquisition of the claimant's land was notified. The claimant was not given any notice of the enquiry and he was kept in dark till passing of the award on 01.11.2021. A market value of Rs.60/- per sq.ft. Or Rs.645.85/- per

sq.mt., was fixed. The average sales statistics was not correct. The compensation was not properly calculated as per Schedule I of the 2013 Act. Since the claimant was not satisfied with the award amount, due to the protest, the present reference was made. The locational advantages and the increased developments in and around the land under acquisition was not taken note. The schools, colleges, hospitals and various companies in the nearby location was not considered. The compensation was not determined as per s.26 of the 2013 Act. The date of implementation of the Act i.e. 01.01.2014 ought to have been taken into consideration and the compensation ought to have been calculated on that basis. Thus, the market value ought to be fixed at Rs.3000/- per sq.ft., The multiplying factor wsa not properly adopted. The solatium and additional market value was not added. The interest was not duly fixed. Hence, that the claim has to be allowed.

Brief averments in the counter statement filed by the 1st respondent and adopted by the 2nd respondent:

3. The counter statement was filed denying the allegations and averments made in the petition except those that are specifically admitted. The compensation was awarded to the lands acquired as per award No. 1/2015 dated 01.11.2021. The land acquired is a dry land and there is no building construction. The compensation was duly calculated following the 2013 Act. The interest was also duly calculated The land was acquired under the scheme of Oragadam Existing Scheme – Tacid Division to the extent of 0.03.34 hectares. After receiving the award, the claimant has

requested for enhancement of compensation due to which the reference was sent to this court. The claimant has no locus standi to maintain this petition. There are no merits in the present petition. Hence, that the claim be dismissed.

4. Based on the above pleadings, the petition was taken up for enquiry. On behalf of the claimant, he was examined as CW1 and Ex. C1 to C3 were marked. On behalf of the respondents RW1 was examined and no documents were marked.

5. Heard both sides and perused the written arguments filed by both sides. On considering the materials on recod and the submissions put forth by both sides, the following points are framed for consideration.

1. Whether the claimant is entitled to a higher compensation as prayed for?
2. Whether the Award amount has to be enhanced as prayed for?
3. Whether the petition has to be allowed?

<u>Point No.1 and 2:</u>

6. Since both the issues are interrelated, they are taken up together for discussion. The brief set of facts necessary for the purpose of this petition is as follows. The claimant's wife is the owner of the land situate in S. No. 16/4 measuring an extent of 0.03.34 hectares which was acquired by the 1st respondent for expansion of the 2nd respondent vide notification under s.3(2) of the 1997 Act issued on 07.09.2010. The 1st respondent has passed an Award No. 1/2015 dated 01.11.2021 awarding a total compensation of Rs. 10,34,289/-. The compensation was awarded based on the square feet value of Rs.60/- per sq.ft., or Rs.645.85/- per sq.mt. The

present reference has been forwarded to this court based on the claimant's request for enhanced compensation.

7. The learned counsel for the claimant would contend as follows. The calculation was not done in a proper manner by taking into account the market value prevailing on the date of notification. The development of the area surrounding the acquired land was not taken note by the 1st respondent while passing thee award. In order to show the prevailing market rate, the claimant has produced Ex. C1 and Ex. C2 relating to lands situated in the same or nearby survey numbers. The same are bonafide transaction. Even after allowing reasonable deducttions, the amounts reflected would be higher than the rate fixed under the award. The respondents have not produced any document to show that the market value was Rs.60/- per sq.ft., on the date of notification. The acquired land is proximate to the Chennai Bengaluru National Highway (NH4) outer ring road and the upcoming Greenfield Airport Project. The claimant is an agriculturist whose land is compulsorily acquired for public purpose. The award is grossly inadequate and therefore, that the just rate of compensation be fixed with the applicable amounts as per the 2013 Act. Reliance is placed on the decision of the Hon'ble High Court of Madras in W.P. No. 15934 of 2025 dated 30.04.2025 to support his contentions.

8. The learned Special Government Pleader and the learned counsel for the 2nd respondent would on the contrary contend that the compensation amount has been fixed taking into consideration all the necessary parameters and therefore, that the

same be confirmed. It is further contended that though the claimant claims an enhanced sum of Rs.3,000/- per sq.ft., there is no document produced to justify their claim. Hence, that the reference be dismissed.

9. Upon hearing both sides and having perused the materials on record, this court finds as follows. It is not disputed that the claimant is the owner of the acquired land. It is relevant to note that the award itself recognizes the claimant to be the owner of the acquired property. Therefore, the only issue that arises for consideration is whether the compensation amount awarded is correct or not. In this regard, this court finds it relevant to take note of the award passed in Award No. 1/2015 dated 01.11.2021. On perusal of the award, it is apparent that the same was passed under the 2013 Act. It is also pertinent to note that it is nobody's case that the 2013 Act would not apply in the present case. Thus, in the present case s.26 of the 2013 Act which sets out the parameters to be taken into consideration while passing the award becomes relevant and is set out hereunder for ready reference.

> *"(1) The Collector shall adopt the following criteria in assessing and determining the market value of the land, namely:—*
> *(a) the market value, if any, specified in the Indian Stamp Act, 1899 (2 of 1899) for the registration of sale deeds or agreements to sell, as the case may be, in the area, where the land is situated; or*
> *(b) the average sale price for similar type of land situated in the nearest village or nearest vicinity area; or*
> *(c) consented amount of compensation as agreed upon under sub-section (2) of section 2 in case of acquisition of lands for private companies or for public private partnership projects, whichever is higher:*
> *Provided that the date for determination of market value shall be the date on which the notification has been issued under section 11.*
> *Explanation 1.—The average sale price referred to in clause (b) shall be determined taking into account the sale deeds or the agreements to sell*

registered for similar type of area in the near village or near vicinity area during immediately preceding three years of the year in which such acquisition of land is proposed to be made.

Explanation 2.—For determining the average sale price referred to in Explanation 1, one-half of the total number of sale deeds or the agreements to sell in which the highest sale price has been mentioned shall be taken into account.

Explanation 3.—While determining the market value under this section and the average sale price referred to in Explanation 1 or Explanation 2, any price paid as compensation for land acquired under the provisions of this Act on an earlier occasion in the district shall not be taken into consideration.

Explanation 4.—While determining the market value under this section and the average sale price referred to in Explanation 1 or Explanation 2, any price paid, which in the opinion of the Collector is not indicative of actual prevailing market value may be discounted for the purposes of calculating market value.

(2) The market value calculated as per sub-section (1) shall be multiplied by a factor to be specified in the First Schedule.

(3) Where the market value under sub-section (1) or sub-section (2) cannot be determined for the reason that—

(a) the land is situated in such area where the transactions in land are restricted by or under any other law for the time being in force in that area; or

(b) the registered sale deeds or agreements to sell as mentioned in clause (a) of sub-section (1) for similar land are not available for the immediately preceding three years; or

(c) the market value has not been specified under the Indian Stamp Act, 1899 (2 of 1899) by the appropriate authority, the State Government concerned shall specify the floor price or minimum price per unit area of the said land based on the price calculated in the manner specified in sub-section (1) in respect of similar types of land situated in the immediate adjoining areas:

Provided that in a case where the Requiring Body offers its shares to the owners of the lands (whose lands have been acquired) as a part compensation, for acquisition of land, such shares in no case shall exceed twenty-five per cent, of the value so calculated under sub-section (1) or sub-section (2) or sub-section (3) as the case may be:

Provided further that the Requiring Body shall in no case compel any owner of the land (whose land has been acquired) to take its shares, the value of which is deductible in the value of the land calculated under sub-section (1):

> *Provided also that the Collector shall, before initiation of any land acquisition proceedings in any area, take all necessary steps to revise and update the market value of the land on the basis of the prevalent market rate in that area:*
> *Provided also that the appropriate Government shall ensure that the market value determined for acquisition of any land or property of an educational institution established and administered by a religious or linguistic minority shall be such as would not restrict or abrogate the right to establish and administer educational institutions of their choice.*"

Bearing in mind the parameters set out herein above, it is necessary to ascertain if the award amount is fixed in consonance with the rules set forth hereinabove. The initial notifications under s.3(2) of the 1997 Act was issued on 14.07.2009 and the notification under s.3(1) of the 1997 Act was issued on 09.07.2010. According to the award, the sales statistics for the period from 14.07.2008 to 13.07.2010 was taken into consideration. A total of 4593 sales took place in the five villages during the said years. Out of the same, 57 sales took place within the 1.6 kms radius. Out of the same, 5 sales took place within 800 meters and 1 sales took place within 400 meters. The sale deeds were grouped in Annexure I. For the purpose of calculating the average, 44 sale deeds similar to the guideline value were arranged in descending order and the average of half of the higher sales i.e. 22 sales were considered and the amount was fixed as Rs.60/- per sq.ft., or Rs.645.85/- per sq.mt. Since the present land acquired was an approved plot no development charges was deducted. Based on the amount fixed, by adding the other components, the total compensation was fixed as Rs.10,34,289/-. for the land.

10. In the present case, though the award speaks about Annexure I and Annexure II A which is attached giving details of the data sale deeds taken into

consideration by the authority, the said annexures are not available in the award filed before this court. While so, when 57 sales are said to be recorded within the 1.6 kms radius, the only reason given by the authority to omit some of the sale deeds appear to be the fact that the said sale deeds did not correspond to the guideline value fixed for the said area. It is not stated in the award that the authority entertained any suspicion with regard the genuineness of the transactions as far as the other sale deeds are concerned. There is nothing in the award that states whether the sale deeds so discarded were of higher value or of lower value. Thus, it is seen that the authority has failed to fulfill the requirements under s.26 of the 2013 Act. Hence, it cannot be stated that the amount was fixed as per the parameters laid down therein.

11. Therefore, this court finds it necessary to assess the compensation amount based on the documents produced before this court. As already stated the respondents who are in possession of the available documents/records have failed to produce the same before this court. Hence, it appears that there is suppression of material records from this court and therefore, an adverse inference has to be drawn against the respondents. The claimants have produced Ex. C1 sale deed dated 01.09.2008 relating to Survey No.228/2A in Panruti Village where the sale consideration for 2200 sq.ft., was Rs.6,86,000/- and Ex. C2 sale deed dated 01.09.2008 relating to Survey No.228/2A in Panruti Village where the sale consideration for 1650 sq.ft., was Rs.5,14,000/-. The Aadhar card of the claimant is marked as Ex. C3.

12. The fact that the above sale deeds are within the check period from 14.07.2008 to 13.07.2010 is apparent from the date of registration of the sale deeds. The fact that the sales have taken place within the village of Panruti in which the acquired land is situated is also apparent. However, there is no specific averment found in the claim petition or the proof affidavit that the lands comprised in the sale deed are those which are situated within the 1.6 kms radius as prescribed under the Act. As per s.26 of the 2013 Act, when the lands are not available within the distance prescribed, then the value can be determined based on similar lands situated in the adjacent or adjoining places. As already noted, even in the award, it was noticed that the land acquired from the claimant was an approved plot and therefore, no development charge was deducted. It is also to be noted that the lands sold under Ex.C1 and Ex. C2 are also approved plots situated in the same village. Hence, the said sale deeds can be taken into consideration.

13. As per the amounts mentioned in Ex. C1 and Ex. C2, the plots were sold at the rate of Rs.311.81/- and Rs.311.51/- respectively. If the fraction is rounded off, the value is Rs.312/- per sq.ft. Since the amounts are the same, the average price can also be calculated at Rs.312/- per sq.ft. The claimant has claimed for a sum of Rs.3,000/- per sq.ft. However, there is no document produced to support such a claim. Therefore, based on the available records, this court is of the considered opinion that the claimant is entitled to an enhanced compensation amount of Rs.312/- per sq.ft.

The multiplier, solatium and other components shall be awarded as per Schedule I of the 2013 Act.

14. Since the referring authority has not followed the procedure contemplated under s.26 of the Act, this court finds that the award amount is not fair or just. This court has taken into consideration the relevant sale deed produced by the claimant herein registered in the vicinty for the period of determination and found that the claimants are entitled for an enhanced compensation amount of Rs.312/- per sq.ft. The multiplier applicable is to be fixed at 1.25. Hence, the said amount is to be considered. To that extent the claim made by the claimant is to be allowed. Accordingly, the points are answered.

Point No. 3:

15. In the preceding point, this court has found that the claimant is entitled to an enhanced compensation at the rate of Rs.312/- per sq.ft. As per the impugned award, the claimant is to be granted the benefit of multiplier at 1.25 times, 100% solatium, 12% per annum additional market value as prescribed under the act and the same has to be calculated on the basis of the price per sq.ft., as fixed by this court. The claimant is also entitled to interest to 9% interest p.a. for the first year from the date of taking possession and then 15% p.a. from the expiry of the first year till date of deposit. To that extent, the present petition is allowed.

16. In the result, the Land Acquisition Original Petition is partly allowed and the claimant is entitled to the enhanced compensation and to the benefits as per the Act 30/2013 as follows.

(i) The claimant is entitled to Rs.312/- per sq.ft., as enhanced compensation for the lands acquired by the referral authority in Award No.1/2015 dated 01.11.2021;

(ii) The claimant is entitled to multiplier of 1.25 on the cumulative value as per Schedule I of the Act 30 of 2013.

(iii) The claimant is further entitled to Additional Compensation i.e. 12% p.a. on the cumulative value of (i) and (ii) from the date of publication of Notification till date of award or the date of taking possession whichever is earlier.

(iv) The claimant is entitled to 100% of Solatium on the cumulative value of (i) to (iii)

(v) The claimant is also entitled to 9% interest p.a. for the first year from the date of taking possession and then 15% p.a. from the expiry of the first year till date of deposit on the cumulative value of (i) to (iv)

(vi) The respondents are entitled to deduct the compensation amount received already by the claimant.

(vii) The respondents are directed to deposit the entire enhanced compensation amount with the above statutory benefits within a period of 3 months before this Court.

(viii) The process fee shall be deducted as per rules.

(ix) Both parties shall bear their own costs.

Partly dictated to the Shorthand writer, and typed by her in computer and partly typed by me in my laptop, corrected and pronounced by me in open court, this the 29th day of July 2026.

NAGARAJAN Principal District and Sessions Judge
Digitally signed by NAGARAJAN
Location: KANCHEEPURAM
Date: 2026.07.29 17:09:36 +0530

Principal District Judge,

Kancheepuram.

Exhibits on Claimants' side:

Ex.C.1	01.09.2008	Copy of sale deed relating to Survey No.228/2A in Panruti Village where the sale consideration for 2200 sq.ft., was Rs.6,86,000/-
Ex.C.2	01.09.2008	Copy of sale deed dated relating to Survey No.228/2A in Panruti Village where the sale consideration for 1650 sq.ft., was Rs.5,14,000/-
Ex.C.3	...	Copy of Aadhar card of the claimant.

Exhibits on Respondents' side: Nil

Witnesses on Claimants' side:

C.W.1 Thiru. Govindasamy

Witnesses on Respondents' side:

R.W.1 Thiru.Karunakaran.

NAGARAJAN Principal District and Sessions Judge Digitally signed by NAGARAJAN Location: KANCHEEPURAM Date: 2026.07.29 17:09:44 +0530

P.D.J.

Draft/Fair Order in
L.A.O.P. No. 98/2024
Principal District Court,
Kancheepuram
Date: 29.07.2026.