In the Court of the Principal District Judge at Kanchipuram

Present: Tmt. Deepthi Arivunithi, M.L.,

Principal District Judge, Kanchipuram

Saturday, the 6th day of June 2026

L.A.O.P. No. 104/2024

(CNR. No. TNKP060021102024)

M/s. Axles India Limited
Rep. By its M.D. Mr. Madhavan
Singaperumal Koil Road,
Sriperumbudur – 602 105.

... Claimant

Vs.

1. Land Acquisition Officer,
The special District Revenue Officer (LA)
Chennai Kanyakumari Industrial Corridor Project,
Kancheepuram.

2. The Divisional Engineer (Highways)
Oragadam Industrial Park Infrastructure Scheme
TNRIDC, LLA Building, 4th Floor,
Thousand Lights, Anna Salai,Chennai.

Referring Officers/Respondents.

This L.A.OP. is coming on this day 17.04.2016 for final hearing before me in the presence of Thiru.Andaman K.Murugan, Advocate for claimant and Thiru.B.S. Ramesh, Special Government Pleader for Respondents/Referring Officer/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.Nos. 1562B/2A part (old survey No. 1562/2), New Survey No. 1562B/2A part (old survey No.1562/3), New Survey No. 1562B/4A(old survey No.1562/4Part) to the acquired extent of 2963 sq.meters in Sriperumpudur C Village, Kanchipuram District seeking enhancement of the compensation awarded under the Final Award No. 1/2020 dated 31.10.2020.

Brief averments in the claim statement:

2. The claimant is the sole and absolute owner of the land to an extent of 723 sq.mtr comprised in S.No.1562B/2A part (old survey No. 1562/2), an extent of 937 sq.mtr in New Survey No. 1562B/3 A part (old survey No.1562/3), an extent of 1303 sq.mtr., New Survey No. 1562B/4A(old survey No.1562/4 Part) situated in Sriperumpudur C Village, Kanchipuram District, he having purchased the said property by way of sale deed dated 01.07.1981. The land belonging to the claimants was acquired by the respondents under the Tamil Nadu Highways Act, 2001 (hereinafter the 2001 Act) for widening of the road from Sriperumpudur to Singaperumal Koil Road as part of the Orgadam Industrial Park infrastructure scheme. As per G.O. No. 206 Highways and Small Port Department dated 29.09.2003 permission was granted for acquisition. The public notice under s.15(2) of the 2001 Act was issued on 26.08.2009 and the notice under s.15(1) of the 2001 Act was issued on 02.06.2010. The compensation was fixed under the 2013 Act as per the

impugned award and the compensation was disbursed in December 2022. The land acquistion officer awarded four different values to the land owners viz. Rs.3290/-, Rs.1080/-, Rs.988/- and Rs.197.7/- per sq.mt. All the lands were situated on the road side and all lands were similar in nature. The fixation of the compensation amount is unjust, unfair and totally contrary to the provisions contemplated under s.26 to 19 of the 2013 Act. The authority failed to take note of the guideline value of the area which itself was Rs.1200/- per sq.ft. The sale deeds having higher sale value was rejected without any acceptable reason. The claimant was awarded Rs.197.7/- per sq.mt., which is grossly inadequate, arbitrary and unfair. The deduction of 30% is against the norms and guidelines prescribed. Hence, the claimant submitted an objection letter based on which the present reference is made. The potentiality of the land, the proximity to the various facilities and the connectivity of the area was not considered. The guideline value ought to be taken as prevailing on 01.01.2014 when the 2013 Act came into force. The award was passed belatedly after a period of 11 years for a paltry sum. The land was undervalued and the provisions of the 2013 Act was not followed. Reliance is placed on 2012 (5) SCC 432. Hence, that the compensation amount be enhanced as Rs.3500/- per sq.ft., for the claimant's land and the reference 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. 1/2020 dated 31.10.2020. The compensation was duly calculated following the 2013 Act. The applicable heads under which the compensation was to be calculated was duly considered and the amount was fixed in accordance with the 2013 Act. 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 C9 were marked. CW.2 was examined and Ex. X1 and X.2 were marked. On behalf of the respondents RW1 was examined and Ex. R1 to R3 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?

Point No.1 and 2:

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 is the owner of the land situate in S.No.1562B/2A part (old

survey No. 1562/2), an extent of 937 sq.mtr in New Survey No. 1562B/3 A part (old survey No.1562/3), an extent of 1303 sq.mtr., New Survey No. 1562B/4A(old survey No.1562/4 Part) , measuring a total extent of 2963 sq.mtrs. which was acquired by the 1st respondent for expansion of the 2nd respondent vide notification under s.15(2) of the 2001 Act issued on 26.08.2009 and the notice under s.15(1) of the 2001 Act was issued on 02.06.2010. The 1st respondent has passed an Award No. 1/2020 dated 30.10.2020 awarding a total compensation of Rs.45,79,196/-. The compensation was awarded based on the value of Rs.197.7/- 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 the award. In order to show the prevailing market rate, the claimant has produced the following sale deeds relating to the lands situated adjacent to the acquired land. Ex. C1 is the sale deed dated 18.07.1981 . Ex. C2 is the sale deed dated 27.02.2015. Ex. C3 is a sale deed dated 11.05.2009. Ex. C4 is the sale deed dated 16.05.2008. Ex. C5 is the representation of the claimant dated 21.11.2022. Ex. C6 is the reply received from the Sub-registrar Sriperumpudur dated 25.11.2022. Ex. C7 is the reply of the Sub-registrar Sriperumbudur dated 07.03.2024. The order passed in W.A. No. 684 of 2024 dated 02.04.2024 by the Hon'ble High Court of Madras is marked as Ex. C8. Ex. C9

is the photocopy of Singaperumal Koil Raod @ Sriperumbudur. Ex. X.1 is the affidavit and petition seeking production of documents and Ex.X.2 is the documents relating guideline value. The respondents have not produced any document to show that the market value was Rs.197.7/- per sq.mt., on the date of notification. The acquired land is situated adjacent to the main road and the purpose of acquiring the land is for expansion of the national highways. The land is situated close to proximity of the new proposed Greenfield Air port and there are several schools, colleges, industrial establishments, companies in the near vicinity. The land of the claimant 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.

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.3,500/- 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. 1/2020 dated 30.10.2020. 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 and public notice under s.15(2) of the 2001 Act was issued on 26.08.2009 and the notice under s.15(1) of the 2001 Act was issued on 02.06.2010.

According to the award, the sales statistics for the period of three years prior to the date of publication viz. 26.08.2009 was taken into consideration. A total of 423 sales took place during the said years. Out of the same, 14 sales which corresponded to the guideline value of the property was grouped in Annexure Iib. Since the sale deeds reflected higher value the same was discarded and the average price was not taken into consideration. The guideline value was taken into consideration and the compensation was fixed at Rs.198 per sq.mtr. Based on the amount fixed, by adding the other components, the total compensation was fixed as Rs.45,79,196-. for the land.

10. In the present case, though the award speaks about Annexure I and Annexure IIb 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. The Annexures reflecting the fourteen sale deeds are furnished in the award. While so, when 14 sales are said to be recorded for the relevant period, the only reason given by the authority to reject 14 sale deeds is because, they are allegedly for a higher value. Apart from this no other reason is stated by the authority. Even the guideline value produced as Ex. X.1, Ex.X.2 would show that the guideline value was Rs. 804/- per Sq.ft. It is pertinent to note that the genuineness of the sale transactions are not doubted by the authority. 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 period that is relevant for consideration is 26.08.2007 to 25.08.2009. For the said period, the claimants have produced the sale deeds in Ex. C3 and Ex C4. The sale deed in Ex. C3 was executed on 11.05.2009 in respect of land situated in S. No. 1549/2 part measuring 1044 sq.ft. And the total sale consideration is Rs.9,00,000/-. Ex. C4 was executed on 16.05.2008 in respect of land situated in 1589/1A5 measuring 3052 sq.ft., for a total sale consideration of Rs.20,60,100/-. As per the letter furnished by the Sub-Registrar, Sriperumpudur in Ex. C6 and Ex. C7, the guideline value for the acquired property for the period from 01.04.2012 to 09.06.2017 was Rs.1,200/- per sq.ft., and from 09.06.2017 was Rs.804 per sq.ft.

12. The fact that the above sale deeds are within the check period from 26.08.2007 to 25.08.2009 is apparent from the date of registration of the sale deeds. The fact that the sales have taken place within the village of Sriperumpudur in which

the acquired land is situated is also apparent. The claimant who was examined as CW1 has specifically asserted that the sale deeds produced related to lands situated within the 1.6 kms radius. There is no contrary material produced by the respondents to deny the same. Hence, this court finds that the sale deeds produced in Ex. C3 and Ex.C4 can be taken into consideration as per s.26 of the 2013 to determine the compensation amount. As per Ex. C3, the value per sq.ft., can be calculated as Rs.862.06/- and as per Ex. C4, the value per sq.ft., can be calculated as Rs.675/-. The average of both the sale deeds has to be taken into consideration and the average of the both the sale deeds is Rs.768.5/- which can be rounded off to Rs.769/- per sq.ft. Since the land is acquired for the purpose of expansion of highway, the respondent who was examined as RW1 has admitted during the cross examination that there is no material to show that any development charges will be incurred by the Highways Authority to put the acquired land into effective use. It is also admitted that the lands acquired are abutting the Highways which is already laid. Hence, as per the decision of the Hon'ble Madras High Court in the case of Project Director, National Highways Authority of India v. M. Vijayalakshmi reported in 2020 SCC Online Mad 1119, this court finds that no amount is to be deducted for development charges.

13. As per the documents furnished in Ex. C3 and Ex. C4 which is within the relevant period, the average price can be determined at Rs.769/- per sq.ft which can be calculated at Rs.8277/- per sq.mt. The claimant has claimed for a sum of Rs.3,500/- per sq.ft. The claimant has produced documents to show the guide line

value prevailing in the year 2017 and between 2012-2017. However, the relevant period is from 2007 to 2009 as already stated herein above. Therefore, the said guideline value cannot be taken into consideration. There is no document produced to support the amount claim by the claimants. 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.8277/- per sq.meter. 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.8277/- per sq.meter or Rs.769/- 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.

<u>Point No. 3:</u>

15. In the preceding point, this court has found that the claimant is entitled to an enhanced compensation at the rate of Rs.8277/- per sq.meter or Rs.769/- 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.8277 per sq.mt., or Rs.769/- per sq.ft., as enhanced compensation for the lands acquired by the referral authority in Award No.1/2020 dated 30.10.2020;

(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 6th day of June 2026.

DEEPTHI ARIVUNITHI

Principal District and Sessions Judge
Digitally signed by DEEPTHI ARIVUNITHI
Location: KANCHEEPURAM
Date: 2026.06.06 16:24:07 +0530

Principal District Judge,
Kancheepuram.

Exhibits on C.W.1 Claimants' side:

Ex.C.1	18.07.1981	Certified copy of the sale deed in the name of Claimant, egistered as Doc.No.1457/1981
Ex.C.2	27.02.2015	Certified copy of the sale deed dated 27.02.2015 registered as Document Number 1914 of 2015 with the SRO, Sriperumbudur, relating to a neighboringsurvey number, registered for rupees 1300/- per square feet.
Ex.C.3	11.05.2009	Certified copy of the sale deed dated 11.05.2009 registered as document number 3551 of 2009, with the SRO Sriperumbudur, pertaining to a nearby survey number, registered for Rupees 862/- per square feet.
Ex.C.4	16.05.2008	Certified copy of the sale deed dated 16.05.2008 registered as document number 6768 of 2008 with the SRO Sriperumbudur, relating to a neighboring survey number, registered for rupees 675/- per square feet.
Ex.C.5	21.11.2022	Copy of Claimant Counsel's representation dated 21.11.2022 addressed to the Sub-Registrar, Sriperumbudur requesting the guideline value of

		Sriperumbudur on the Singaperumal Koil Road for the year 2017 and 2022.
Ex.C.6	25.11.2022	Copy of the Reply letter of the Sub-Registrar, Sriperumbudur dated 25.11.2022.
Ex.C.7	07.03.2024	Copy of the reply letter of the Sub-Registrar,Sriperumbudur dated 07.03.2024 submitted before the Honorable Division Bench of Madras High Court in WA.No.684 of 2024.
Ex.C.8	--	Online copy of the order passed inWA.No.684 of 2024 dated 02.04.2024 by the Honorable Division Bench of the Madras High Court.
Ex.C.9	--	Photocopy of Singaperumal koil road @ Sriperumbudur.

Exhibits on Respondents' side:

Ex.R.1 31.10.2020 Award No.01/2020.Copy of Award

Ex.R.2 ... Annexure copy of Award

Ex.R.3 26.08.2009 Government Guideline value copy.

Witnesses on Claimants' side:

C.W.1 Thiru. Badrinath

C.W.2 Thiru. Uthamaraja

Exhibits on CW2 Side:

Ex.X.1 21.01.2026 Affidavit and petition seeking production of documents

Ex.X.2 .... Documents relating guideline value.

Witnesses on Respondents' side:

R.W.1 Thiru.K.N. Varadharajan(Special Tahsildar)

DEEPTHI ARIVUNITHI

Principal District and Sessions Judge
Digitally signed by DEEPTHI ARIVUNITHI
Location: KANCHEEPURAM
Date: 2026.06.06 16:24:15 +0530

P.D.J.

Draft/Fair Order in
L.A.O.P. No. 104/2024
Principal District Court,
Kancheepuram
Date: 06.06.2026.