

IN THE COURT OF THE PRINCIPAL JUDGE,
CITY CIVIL COURT AT CHENNAI

Present : **Thiru. S. Karthikeyan, M.A., M.L., M.Sc., P.G.D.C.F.Sc., P.G.D.D.F.,**
Principal Judge

Thursday, the 8th day of January 2026

L.A.O.P.No.204/2023
(TNCH01-031509-2023)

Sarva Siddhi Vinayagar Koil
Rep. by its Secretar and life time trustee
S. Karthikeyan Reddy
No.21, Kaliyamman Koil Street,
Virugambakkam, Chennai 600 092.

...Claimant

vs

1. The Special District Revenue Officer (LA),
Chennai Metro Rail Limited
Nandanam, Chennai 600 035.
2. The Special Tahsildar (L.A.)
Chennai Metro Rail Limited
Nandanam, Chennai 600 035.

...Referring Authorities

The petition came up on 25.11.2025 before me for hearing in the presence of M/s. B. Vijayakumar, T.Senthil Kumar, R. Babu, Counsel for the Claimant and of City Government Pleader, Counsel for the Referring Authorities and upon hearing the arguments on both sides as well as on perusal of the written submissions filed on the side of the referring authorities and on perusal of the records and having stood over for consideration till this day, this Court delivered the following;

ORDER

This reference is made by the referring authorities under Sec.76 and 77 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013 regarding acquisition of land measuring an extent of

333.684 sq.ft. situated at T.S.No.64 Pt, Block No.19, Virugambakkam Village, Mambalam Taluk for the purpose of formation of 03 - via duct Kaliyamman Koil Street in Virugambakkam Village, Mambalam Taluk, Chennai.

2. The Circumstances, which leads to the present reference, are as follows:

The Government has acquired certain portion of land comprised in T.S.No.64 Pt, Block No.19, Virugambakkam Village, Mambalam Taluk, of an extent of 333.684 sq.ft. along with other lands for the purpose of formation of 03 - via duct Kaliyamman Koil Street in Virugambakkam Village, Mambalam Taluk, Chennai. The land records pertains to Block No.19, S.No.64 stands in the name of Sarva Siddhi Vinayagar Temple. At the time of award proceedings, notice was issued to one Karthikeyan and Gunasekaran, who are claimed to be the in-charge of the said temple. They did not appear for enquiry held on 18.04.2023. Therefore, the compensation in respect of the said land and building was ordered to be deposited into this Court. Subsequently, a reference was made to this Court to adjudicate upon the issue on the title of the land and compensation to the persons concerned.

3. One Mr. S. Karthikeyan Reddy S/o. V.K. Sankara Reddy claimed to be the Secretary and life time trustee of Sarva Siddhi Vinayagar Temple, filed claim statement before this court, which runs as follows:

(i) The claimant's father V.K.Sankara Reddy was the owner of the subject property acquired under a registered partition deed of 1956 and had allotted a portion of the land for the construction of Sarva Siddhi Vinayagar Temple, which he and his family managed for several years. Though the temple functioned as a community temple, a trust named Sarva Siddhi Vinayagar Koil Trust was formally created in 2023 to manage its affairs, and the claimant was appointed as its secretary and lifetime trustee. The lands were proposed to be acquired for the Chennai Metro Rail Limited (CMRL) project under various Government Orders. Statutory notices were issued, published in newspapers and the Tamil Nadu Government Gazette, and

acknowledged by the interested parties. CMRL informed the claimant about its intention to acquire the land through private negotiation and sought documents to assess its value, which the claimant duly furnished. He attended negotiations as requested; however, the authorities deferred a decision citing the recent formation of the trust. Subsequently, an award was passed for compensation in respect of the acquired temple lands, directing that the amount be deposited in court, and the claimant was duly informed of the same. The claimant's lands situated at Kaliamman Kovil Street, Virugambakkam, measuring about 333.684 sq.ft., were acquired along with other lands for a public purpose, namely the Chennai Metro Rail Project, while private negotiations were ongoing a notification and decree dated 15.05.2023 were issued under the relevant land acquisition laws, culminating in an award passed by the acquiring authority. The claimant appeared before the authorities, including the DRO, produced original documents, and made submissions regarding the advantageous location and high market potential of the lands. He consistently asserted that, considering the prime location near Arcot Road, Koyambedu Market, and bus terminus, the market value of the land ought not to be less than Rs. 7,000 per sq.ft. However, the award fixed compensation at Rs.7,000 per sq.ft. However, the award fixed compensation at Rs. 4,988 per sq.ft., which the claimant found to be grossly inadequate and not reflective of the true market value.

(ii) The Claimant further contended that the acquiring authority failed to consider comparable sale deeds in and around the acquired lands and instead relied on transactions relating to distant and dissimilar blocks without proper justification. He further submitted that the authority ignored the principle that market value should reflect the price between a willing seller and a willing buyer under private negotiation, as well as the actual values prevailing in nearby private transactions. It was also asserted that the authority did not adequately account for the significant location advantages, commercial potential and surrounding infrastructure while fixing the compensation. The claimant, therefore, challenged the reasoning adopted

in the award as unsound and untenable, sought reference for enhancement of compensation, and reserved his right to raise additional grounds based on documents and proceedings. Accordingly, the claimant prayed that the court may be pleased to enhance the compensation payable for the acquired lands by fixing the market value on par with true market rate as claimed, together with all statutory benefits, in the interest of justice.

4. Brief averments made in the counter statement filed by Referring Authorities:

The respondent denies all allegations made in the claim statement, except those expressly admitted and puts the claimant to expressly admitted, and puts the claimant to strict proof of ownership and title over the subject property. The Claimant has failed to establish legal ownership through valid title deeds and that mere patta does not confer ownership in law. It is stated that the property was originally owned by V.K.Sankara Reddy under a partition deed of 1956, and the claimant has not proved lawful derivation of title. The Respondent asserts that the temple in question is a public temple and that a Trust Deed was created only in 2023, long after the land acquisition process had commenced which does not confer title on the claimant. During the acquisition proceedings, notices were issued based on entries in the permanent Land Register and the claimant was called upon to produce original title documents, which it failed to do. In cases of rival claims or failure to prove title, the compensation amount was deposited before the Hon'ble Court as per law. The respondent denies allegations regarding higher land value including the claim of Rs.7,000 per sq.ft., stating that no supporting sale deeds were produced. It is asserted that the land value was fixed strictly in accordance with statutory provisions and reflected in the Award dated 15.05.2023. The claimant lacks locus standi to challenge the valuation having failed to establish ownership. The claim statement is stated to be vague, speculative and not maintainable in law. Hence, prays to dismiss the claim as

devoid of merits and that the valuation fixed by the Authority be upheld with such further orders as deemed fit by the Hon'ble Court.

5. One Mr. S. Karthikeyan Reddy S/o. V.K. Sankara Reddy claimed to be the Secretary and life time trustee of Sarva Siddhi Vinayagar Temple, who filed the claim statement before this court has examined himself as PW1 and exhibited Ex.P1 to P15. Apart from that one Mr. S. Haridass Reddy was examined on the side of the claimant as PW2 and Ex.P16 and P17 were marked through him. On careful perusal of the records, it is found that the claimant herein deposed in lines with his claim statement and sought for money awarded under the Award of DRO.

6. The point for consideration is,

Whether the claimant is entitled for the compensation awarded by the referring authorities?

Answer:

7. (i) Learned counsel for the claimant argued that V.K.Sankara Reddy was the owner of the property acquired through Ex.P1 registered partition deed dated 19.05.1956 document No.1586/1956 and he delineated from the larger extent and allotted a portion for the Sarva Siddhi Vinayagar Koil and constructed the said temple. He was in management of the same during his life time and after him his family was in the management of the temple, though the temple was dedicated as a community temple. The management of the temple by V.K.Sankara Reddy is evidenced by Ex-P3 electricity card vide No. 227-0350214. The said V.K.Sankara Reddy died on 12.02.2011 and his death certificate is marked as Ex-P4 and the legal heirship certificate is marked as P5. Even though the lands were allotted to the temple orally and the temple was constructed and managed by V.K.Sankara Reddy, S.Karthikeyan Reddy has been appointed as secretary and life time trustee of the Sarva Siddhi Vinayagar Koil Trust, which was subsequently formed. The claimant herein/S.Karthikeyan Reddy being the elder brother, was nominated on behalf all the

family members to manage the affairs of the temple, since all are residing in different places and have different pursuits, vide an unregistered family agreement dated 13.02.2014 and the family has no objection for S.Karthikeyan Reddy for managing the affairs of the temple. In view of the family agreement/consent affidavit the family do not have any objection for S.Karthikeyan Reddy receiving amount on behalf of Sarva Siddhi Vinayagar Koil. The contention of the referring authority that an unregistered family agreement is not valid is demolished by the judgment reported in CDJ 2024 Raj HC 148 Para 34.

(ii) The temple land can be identified by the schedule of Ex-P2 sale deed dated 30.06.1971 wherein the northern boundary has been stated as the land gifted for construction of Sarva Siddhi Vinayagar Koil. The claimant received a communication dated 24.11.2021 from Chennai Metro Rail Limited stating its intention to purchase the temple land required for the metro project through private negotiation. The subject property is a temple land measuring about 56 sq.m (602.784 sq.ft) situated at Kaliasman Kovil Street, Virugambakkam an important commercial area of Chennai. Considering the location and advantages the land was stated to have high potential value and the claimant was requested to submit relevant title documents to enable valuation for negotiation. The claimant promptly submitted all required documents and requested the authorities to fix the land value in accordance with the prevailing market rate, as provided under Sections 76 and 77 of the RFCTLARR Act, 2013. The claimant consistently represented that temple lands under acquisition are highly valuable and that the market value on the relevant date would not be less than Rs.7000 per sq.ft. To substantiate this claim, the claimant produced certified copies of documents relating to other lands acquired by CMRL, showing compensation of not less than Rs.7000 per sq.ft. These documents registered in September, November, and December 2022 under the Tamil Nadu Land Acquisition for Industrial Purposes Act, 1997 were filed and marked as Ex.P-8, P-9, and P-10. Subsequently, the respondent issued letters dated 17.03.2023 calling upon

the claimant to attend a meeting for private negotiation. The claimant attended the meeting and informed the authorities that the temple trust is a public trust, seeking reasonable time for consideration of the matter.

(iii) When the temple lands were proposed to be acquired for the Chennai Metro Rail Project, a registered trust named Sarva Siddhi Vinayagar Koil Trust was formed on 22.02.2023 to manage the affairs of the temple. The claimant was appointed as the lifetime Managing Trustee. The contention of the authorities that compensation could not be paid to the family was disputed and denied. An award dated 15.05.2023 was passed fixing compensation for the acquired temple lands and notices were issued to the claimant to appear before the CMRL Authorities with original documents. While negotiations were ongoing a decreetal award under the Tamil Nadu Land Acquisition for Industrial Purposes Act, 1997 was issued for acquisition of a portion of the temple land for public purpose. The claimant produced certified sale documents to show that higher compensation was paid for nearby lands. However, the compensation for the temple land was fixed at Rs.4,988 per sq.ft., which the claimant found to be low and not reflecting the true market value. Objections were raised before the Special Tahsildar stating that the compensation was inadequate. Hence, the present petition was filed seeking reference and enhancement of compensation to match the prevailing market value along with statutory benefits and interest, considering the importance and value of the acquired temple land.

8. The learned City Government Pleader argued that the land acquired was recorded in the revenue records as belonging to V.K.Sankara Reddy. The claimant failed to establish exclusive ownership, as the partition deed and revenue records indicated that the claimant was not the sole owner. V.K.Sankara Reddy died in 2011, leaving behind three sons and three daughters, all of whom are legal heirs with equal right, interest and share in the acquired land. The claimant himself admitted during cross-examination that his brothers and sisters are also legal heirs. The claimant filed the present claim petition in his capacity as Secretary and lifetime trustee of Sarva

Siddhi Vinayagar Koil, but he did not produce any valid registered document to prove exclusive ownership except an unregistered consent deed dated 13.02.2014, since the document is unregistered one, it cannot legally establish relinquishment of rights by other heirs. The evidence of PW2 regarding Ex.P17 was inconsistent and the execution and interest under the said document were not properly proved. From the above facts, it was concluded that the claimant failed to prove ownership over the land. Further, the trust deed dated 22.02.2023 was also not proved in accordance with law as it was executed subsequent to the land acquisition notification. Hence, the claim petition was held to be not maintainable and liable to be dismissed.

9. On careful perusal of the records, it is found that certain portion of land comprised in T.S.No.64 Pt, Block No.19, Virugambakkam Village, Mambalam Taluk, of an extent of 333.684 sq.ft. along with other lands were acquired by the Government for the purpose of formation of 03 - via duct Kaliyamman Koil Street in Virugambakkam Village, Mambalam Taluk, Chennai. The land records pertains to Block No.19, S.No.64 stands in the name of Sarvasiddhi Vinayagar Temple. At the time of award proceedings, notice was issued to one Mr. Karthikeyan and Mr. Gunasekaran, who are claimed to be the in-charge of the said temple. They did not appear for enquiry held on 18.04.2023. Therefore, the compensation in respect of the said land and building was ordered to be deposited into this Court. Subsequently, a referene was made to this Court to adjudicate upon the issue on the title of the land and compensation to the persons concerned.

10. One Mr. S. Karthikeyan Reddy S/o. V.K. Sankara Reddy claimed to be the Secretary and life time Trustee of Sarva Siddhi Vinayagar Temple, filed claim statement before this court. He examined himself as PW1 and exhibited Ex.P1 to P15. Apart from that one Mr. S. Haridass Reddy was examined on the side of the claimant as PW2 and Ex.P16 and P17 were marked through him.

11. Mr. S. Karthikeyan Reddy, in his evidence, deposed that his father V.K. Sankara Reddy was the owner of the property acquired through Ex.P1 registered Partition Deed dated 19.05.1956 and he delineated from the larger extent and allotted a portion for the Sarva Siddhi Vinayagar Temple and constructed the said temple. He was in management of the same till his life time. After his demise, his family members have been managing the property, though the temple was dedicated as a community temple. The temple land can be identified by the schedule of Ex.P2 Sale deed dated 30.06.1971, wherein the northern boundary has been stated as the land gifted for construction of Sarva Siddhi Vinayagar Temple. The management of the temple by V.K. Sankara Reddy is evidenced by Ex.P3 Electricity Card No.227-035-214. The said V.K. Sankara Reddy died on 12.02.2011 leaving behind his legal heirs, namely R.S. Anboli, S. Karthikeyan, S. Santhibai, S. Hemalatha, S. Jayalakshmi and S. Haridoss vide Ex.P5. Even though the land was allotted to the temple orally and temple was constructed and managed by V.K. Sankara Reddy and his family, there was no proper documentation.

12. On 24.11.2021, the District Revenue Officer (LA), Chennai Metro Rail Limited, Koyambedu, Chennai issued Ex.P6 show cause notice under sub section (2) of section 3 of the Tamil Nadu Acquisition of Land for Industrial Purposes Act and subsequently, it was acquired by them. On 24.11.2021, PW1 has received a communication from CMRL informing that Chennai Metro Rail Ltd, intends to purchase the land required for its project by way of negotiation from the willing land owners. He was requested to furnish the copy of the document pertaining to the temple property, so as to ascertain the value of the property for initiating private negotiations. He has submitted all the documents pertaining to the property for determining the value of the property and requested the authority to fix their value on par with prevailing market rate. According to the claimant, the market value of the property would be not less than Rs.7,000/- per sq.ft. Therefore, he prays for enhancement of compensation and disbursement of the same to him.

13. However, on careful perusal of the record, it is found that Ex.P1 is the Partition Deed registered as Doc.No.1586/1956. The said document is completely illegible and it is not in a position to read. This court records its displeasure for filing a document before this court, which is illegible and not fit for inspection by the Court. However, the document is not relating to the title of the property. Even according to the claimant, under this Partition Deed his father has acquired the property.

14. Ex.P2 is the Sale Deed dated 30.06.1971, registered as Doc.No.2012/1971. It is not the original document, but an extract from the SRO. Even according to the claimant, this document is also not pertaining to the land acquired by the CMRL, but the boundary recitals discloses that the land gifted by the Committee for the purpose of construction of temple. On careful perusal of the boundary recitals of the said document, it is mentioned as follows:

"எங்களால் கிராம பொது பிள்ளையார் கோவில் கட்டுவதற்காக வேண்டி தானமாக விடப்பட்ட மனைக்கு வடக்கு"

Though the boundary recitals will not prove the ownership of the property, from the said recitals, it could be understand that a portion of the land was allotted for the purpose of construction of a temple. From Ex.P2, it is clear that as on the date of the said Sale Deed, the temple was not constructed.

15. The claimant claims that his father has constructed the temple and his farther was in the administration of the temple till his life time, which is evident by Ex.P3/EB Card. On careful perusal of the records, it is found that the EB card in respect of the Electricity connection No.227-035-214 stands in the name of the father

of the claimant/Mr. V.K. Sankara Reddy and the address is shown as No.21, Kaliyamman Kil Street, Virugambakkam, Chennai 92. In Ex.P3, it is found that the electricity charges were paid from 26.01.2021 to 22.09.2023. From Ex.P3, it cannot be make out, whether the said electricity charges were paid for the use of the electricity by the temple. The temple name was not mentioned in the said EB card. The EB connection was also not obtained in the name of the temple or in the name of the Deity. Further the EB card/Ex.P3 does not disclose as to who has paid the said electricity charges. Admittedly, no EB receipts were filed in support of Ex.P3.

16. Ex.P4 is the death certificate of V.K. Sankara Reddy. From Ex.P4, it is found that V.K. Sankara Reddy died on 12.02.2011 at the age of 81 years. However, in Ex.P3, the name of V.K. Sankara Reddy was not changed, even after his death. Ex.P6, Form-A, Show Cause notice was not issued to the petitioner herein. The name of the claimant is not found thereon. The original of Ex.P6 was not produced to show that he received the said notice. Ex.P7 is the patta in respect of the land comprised in block No.19, S.No.64, O.S.No.129/1A-1A part. The Extract from the Permanent Land Register discloses that the property acquired stands in the name of Sarva Siddhi Vinayagar Temple. No document was produced by the claimant to show that the said temple was constructed in the land gifted as stated above and by whom the said temple was constructed and who has maintained the said temple until now. It is not even disclosed as to when the patta was transferred in the name of the temple. Ex.P7

is only a computer Patta and the original patta issued in the name of the temple was not produced before this court.

17. When the claimant claims that he is in the management of the temple, he alone would have the original documents including the patta and other documents evidencing the management of the temple by the claimant herein. Ex.P12 summons in respect of the enquiry for the purpose of award is also not addressed to the claimant herein, but it is issued in the name of Sarva Siddhi Vinayagar Temple. In Ex.P13, Award Proceedings, it was mentioned that the in-charge of the land owners Sarva Siddhi Vinayagar Temple, namely Mr. Karthikeyan, Gunasekar did not appear for the enquiry conducted on 18.04.2023. Merely because in the Award proceedings, it was recorded that they are the in-charge of the temple, without any sufficient material, it cannot be said that they are in the management of the temple.

18. The claimant herein has produced Ex.P11/Sarva Sithi Vinayagar Koil Trust Deed. However, the said Trust was created on 22.02.2023, after the land was acquired by the Government. Even according to the Claimant, since the Land Acquisition Authorities are not inclined to disburse the award amount to them and as per their directions, Ex.P11/Trust Deed was executed. Therefore, the said Trust Deed will not prove the management of the temple by the claimant herein. Ex.P14 is the notice issued to the Sarva Sithi Vinayagar Koil to produce documents, namely Sale Deed, Parent documents, Town Survey Patta Copy, Encumbrance Certificate, Land Tax,

Property Tax, EB Receipt, Aadhaar Card, Voter ID, in case of death of land owner/death certificate and legal heirship certificate, details of other encumbrances like bank loan, mortgage etc., Bank Account details and Pan Card etc., From the Award Proceedings, the authorities claimed that the claimant did not appear along with those documents to substantiate their claim over the property that they are in the Management of the said temple. Ex.P15 is the same notice dated 06.06.2023 issued to the Sarva Sithi Vinayagar Koil to produce the documents as stated supra.

19. Ex.P16 is the Death Certificate of the mother of the petitioner and Ex.17 is the Consent Deed executed by the other legal heirs of the deceased in favour of the claimant herein. Though the said document is said to have been executed on 13.02.2014, it was not registered. The said document was signed by the other legal heirs of deceased Sankara Reddy, purportedly handing over the administration of the temple to the claimant herein. It is pertinent to note here that the said document was not filed along with the claim petition and the said document was also not marked during the examination of PW1/claimant herein. It was marked through PW2/ S. Haridass Reddy, the other legal heir of Sankara Reddy. The claimant has not proved the said document by examining any one of the attesting witnesses. Even assuming that the said document is a genuine one, except this document, nothing is available on record to show that the claimant was in the management of the temple from the date of its construction until now. Therefore, this court is of the considered view that the claimant has failed to prove that either his father or he was in-charge of

the temple administration until the portion of the land was acquired by the referring authorities.

20. It is also pertinent to mention here that the land was acquired by the government including the portion of the building, no one has objected to the same including the claimant herein. Even according to the claimant herein, the temple was dedicated to community purpose. Therefore, it was in the nature of public temple. The administration of the public temple cannot be done by a group of individuals by creating a Trust Deed. The Trust has no legal sanctity and it was created only for the purpose of getting the compensation from the Land Acquisition authorities. Therefore, this court is of the considered view that Mr. Karthikeyan Reddy is not entitled to claim the award amount as he failed to prove his right over the administration of the claimant Temple. Therefore, this court is inclined to direct the Administrator General & Official Trustee to take the administration of the said temple and administer the temple as per its customs. The money deposited before this court is ordered to be transferred to AG&OT to carry out the day to day administration of the said Temple. Accordingly, this reference is answered.

Dictated to the steno-typist, transcribed and typed by her, corrected and pronounced by me in the open court, this the 8th day of January 2026.

Principal Judge.

Claimant side Witness

PW- 1:- S. Karthikeyan Reddy

PW- 2:- S.Haridass Reddy

Claimant side Exhibits:

Exhibits	Date	Description of Documents
Ex.P1	19.05.1956	Partition deed Doc.No. 1586/1956 and its clean copy (Certified Copy)
Ex.P2	30.06.1971	Sale Deed and its clean copy (Online Certified Copy)
Ex.P3		E.B. Card in the name of V.K. Sankara Reddy (Original)
Ex.P4	21.07.2017	Death Certificate of V.K. Sankara Reddy (Online Copy)
Ex.P5	08.09.2017	Legal Heir Certificate of V.K. Sankara Reddy (Xerox Copy)
Ex.P6	24.11.2021	Show Cause Notice in Form - A
Ex.P7	18.12.2021	Extract from the permanent land register with map
Ex.P8	17.09.2022	Document No.7484/2022 under from F executed to CMRL by G.Jeevanandam. (Online Certified Copy)
Ex.P9	19.11.2022	Document No.9162/2022 under from F executed to CMRL by A. Rajalingam. (Online Certified Copy)
Ex.P10	15.12.2022	Document No.10071/2022 under from F executed to CMRL by A. Ganesan. (Online Certified Copy)
Ex.P11	22.02.2023	Trust Deed (Certified Copy)
Ex.P12	20.03.2023	Notice from CMRL to claimant (Original)
Ex.P13	15.05.2023	Award in C5/014/2022 (Xerox Copy)
Ex.P14	16.05.2023	Notice from CMRL to claimant (Original)
Ex.P15	06.06.2023	Notice from CMRL to claimant (Original)
Ex.P16	28.06.2013	Death Certificate of Rajeshwari (Online Copy)
Ex.P17	13.02.2014	Family Agreement/ Concern Affidavit (Original)

Principal Judge.

Draft/Fair Order
L.A.O.P.No.204/2023
Dated : 08.01.2026
Principal Court.