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A.S. No. 420 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON : 07.11.2025

PRONOUNCED ON : 25.11.2025

CORAM

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

A.S. No. 420 of 2019

Tmt. Samar Poori,
W/o.Narayansamy,
No.4, 4th Porthekeesi Church,
Ezhukinaru,
Chennai – 600 021.

... Appellant

Vs.

1. The Special Tahsildhar,
Land Acquisition,
MRL Aromatic Project (Now CPCL),
Saidapet, Chennai 600 015.

2. The Member Secretary
MRL (Now CPCL),
No.552, Anna Salai,
Teynampet,
Chennai 600 018.

3. The Project Officer,
Aerochem,
No.88, Anna Salai,
SPIC Centre, Guindy,
Chennai
...Respondents

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PRAYER in A.S.: Appeal Suit filed under Section 54 of the Land Acquisition Act, to set aside the judgment and decree passed by the Sub-Judge at Ponneri in LAOP No.764 of 1998 dated 24.06.2013 and enhance the compensation amount fixing at Rs.6,540/- per cent besides other benefits provided under the L.A. Act – 1894 in par with other claimants and thus render justice.

For Appellant : Mr.G.Karthikeyan, Advocate.

For Respondents: Mr.M.Murali
Government Advocate for R1

No appearance for R2 & R3

J U D G M E N T

Heard.

2. This is an appeal preferred under Section 54 of the Land Acquisition Act, 1894. It arises out of the award passed by the Sub Court, Ponneri, in L.A.O.P. No.764 of 1998, dated 24.06.2013. The acquisition relates to lands measuring 0.06 ½ acres situated in Survey No.189/1A (Part), in Mathur Village, formerly of Saidapet Taluk and later of Madhavaram Taluk, Thiruvallur District for the establishment of a Chennai Petroleum Corporation Limited, hereinafter referred to as CPCL. The appellant before this Court is the claimant.



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3.The Government has issued a 4 (1) notification dated 19.12.1990 and the Land Acquisition Officer passed award bearing No.7/93, dated 15.10.1993 fixing the rate of compensation at Rs.200/- per cent. The landowner, not satisfied with this valuation, sought a reference under Section 18 of the Land Acquisition Act. The Sub Court, Ponneri, by its award dated 24.06.2013, enhanced the compensation to Rs.4,750/- per cent, together with the statutory benefits towards solatium, additional amount and interest. Aggrieved by the said award, the learned counsel for the appellant has preferred the present appeal.

4. The memorandum of appeal contends that the trial Court erred in fixing Rs.4,750/- per cent as compensation for the lands acquired stating that the compensation has not been fixed based on the exhibits which shows the market value at Rs.8,700/- and has also submitted that the lands are surrounded by many repudiated Multinational and National Companies and approved Lay-outs and thus, sought for setting aside the Judgment and decree passed by the Sub Court at Ponneri.

5.The issues for consideration :

Whether the enhancement to Rs.4,750/- per cent requires interference in the light of subsequent pronouncements of this Court in companion appeals from the



6. **Issue:** It is settled through the Judgment of the Division Bench of this Court through a long series of appeals arising from the very same acquisition scheme in A.S.Nos.466 of 2014 batch dated 07.07.2015 wherein the Judgment passed by the Sub Court, Ponneri has been affirmed and it is seen that against the Judgment of this Court, a review application has been filed by the land owner in Review Application No.89 of 2017 dated 20.11.2017 wherein the review application has been dismissed confirming the Division Bench of this Court. It is also seen that subsequently, Special Leave Petition (Civil) in a Diary No(s). 21943 of 2018 dated 17.08.2018 has also been preferred against the Division Bench of this Court, wherein, the Supreme Court has dismissed the petition affirming the Judgment of this Court.

7. In view of this determination arising from the same acquisition and involving the same acquiring body, there is no scope for a different view in this appeal. To perpetuate a lower or higher rate would run counter to the affirmation of the Judgment of the Supreme Court. The contentions advanced on behalf of the appellant are no longer open for reconsideration in view of the settled position.



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8. Accordingly, the appeal fails on merits and the Judgment and decree passed by the Sub Judge at Ponneri in LAOP No.764 of 1998 dated 24.06.2013 is confirmed. Any sum already deposited shall be given due credit. The balance compensation, if any, together with all statutory additions and interest, shall be deposited by the acquiring authority within a period of eight weeks from the date of receipt of a copy of this Judgment to the credit of L.A.O.P.No.764 of 1998 on the file of the Sub Court, Ponneri. On such deposit, the land owner is permitted to withdraw the same in accordance with law. There will be no order as to costs.

25.11.2025

dpq/ay

Index: Yes / No

Speaking Order / Non-speaking Order

Neutral Citation: Yes / No

DR. A.D. MARIA CLETE, J.

ay/dpq



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1. The Sub-Court, Ponneri.
2. The Member Secretary
MRL (Now CPCL),
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Teynampet,
Chennai 600 018.
3. The Project Officer,
Aerochem,
No.88, Anna Salai,
SPIC Centre, Guindy,
Chennai 600 032.

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