

In the High Court of Judicature at Madras

Dated: 09.06.2015

Coram:

The Honourable Mr. SANJAY KISHAN KAUL, Chief Justice  
and  
The Honourable Mr. Justice T.S.SIVAGNANAM

Writ Petition No. 27637 of 2007  
and M.P. Nos.2 and 3 of 2007

M/s. United Metal Industries  
rep. by its Partner Subash Chandra Goel  
No.98, Basin Road, Thiruvottriyur  
Madras - 19. .. Petitioner

vs.

1. The Secretary to Government  
Revenue Department  
Government of Tamil Nadu  
Secretariat, Chennai 600 009.
2. The Commissioner  
Madhavaram Municipality  
Madhavaram.
3. The Commissioner  
Kathivakam Municipality  
Kathivakam.
4. The Commissioner  
Municipal Administration  
Chepauk, Chennai.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for issue of a Writ of Certiorari to call for the records relating to the G.O. No. 318 dated 11.6.2007 passed by the first respondent herein and quash the same.

For Petitioner : Mr. K. Raja Srinivas  
For Respondents : Mr.V.R. Kamalanathan  
Addl. Govt. Pleader for R1, 3 & 4  
Mr. P. Srinivas for R2.

O R D E R

(Made by The Hon'ble The Chief Justice)

It is informed that the impugned Government Order dated 11.06.2007, giving allotment of lands to Madhavaram Municipality and Kathivakam Municipality, respondents 2 and 3 herein, was subject to the result of the Writ Petition No.27621 of 2005. That writ petition made a challenge to the land being declared surplus in the hands of the petitioner under the Tamil Nadu Urban Land Ceiling and Regulation Act (since repealed). The writ petition was allowed vide order dated 11.03.2008 and Writ Appeal No.733 of 2008 preferred against that order was dismissed on 23.11.2011. Learned counsel for the petitioner states that there has been no further challenge made to that order.

2. The result of the aforesaid is that the land is not available for allotment under the impugned Government Order, as it is not surplus land and thus the impugned order must consequently go.

3. The impugned order is quashed in terms of aforesaid and the writ petition is allowed, leaving the parties to bear their own costs. Consequently, M.P. Nos.2 and 3 of 2007 are closed.

Sd/-  
Assistant Registrar

True Copy

Sub Assistant Registrar

Copies to;

1. The Secretary to Government  
Revenue Department  
Government of Tamil Nadu  
Secretariat, Chennai 600 009.

2. The Commissioner  
Madhavaram Municipality  
Madhavaram.

3. The Commissioner  
Kathivakam Municipality  
Kathivakam.

4. The Commissioner  
Municipal Administration  
Chepauk, Chennai.

+1 cc to Mr. K. Raja Shinivas, Advocate, SR.27671

+1 cc to Government Pleader, SR.27725.

Sr(co)  
krd 19/6

W.P. No. 27637 of 2007



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