

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.01.2016

CORAM

THE HON'BLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
and
THE HON'BLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.30404 of 2015

- 1.R.Muthukrishnan
- 2.S.Shanmugam
- 3.G.Anna Durai
- 4.J.V.Muthu
- 5.B.Sivalingam
- 6.Harikrishnan
- 7.Renugadevi
- 8.V.Neduncheziyan
- 9.Y.Suresh

... Petitioners

Vs

1. The Government of Tamil Nadu,
rep. by its Secretary to Government,
Hon'ble Revenue Secretary,
Fort St. George, Secretariat,
Chennai-09.
2. The Additional Chief Secretary/
Commissioner of Land Administration,
Ezhilagam, Chempauk,
Chennai-05.
3. The District Collector,
Kancheepuram District.
Kanchipuram.
4. The Tahsildar,
Sholinganallur Taluk,
Sholinganallur,
Kanchipuram District.
5. Pon.Thangavelu,
Secretary,
Rajan Nagar and Selva Nagar Welfare Association,
2/214A, 2nd street, Rajan Nagar,
Enjambakkam, Chennai-115.

6. The Commissioner,
Corporation of Chennai,
Rippon Buildings,
Chennai.

7. The Assistant Commissioner,
Zone - XV,
Corporation of Chennai.

... Respondents

(Respondent Nos.6 & 7 impleaded as per
the order of the Court, dt. 24.11.2015)

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorarified Mandamus calling for the records in G.O.Ms.No.252, Revenue [LD6(20)] Department dated 08.07.2015 from the file of the first respondent and quash the same, consequently directing the first respondent to reclassify Enjambakkam Village S.No.253/2, 27 cents Cart-Track poramboke into Anatheenam poramboke as per Revenue Standing Order 26 Rule 11 and regularize their houses and granting assignment of house site patta to the petitioners.

For Petitioners : Mr.R.Margabandhu

For Respondents : Mr.STS.Moorthy
Government Pleader
assisted by
Mr.V.Shanmugasundar
Government Advocate for R1 to R4

No appearance for R5

Mr.K.Soundararajan for R6 & R7

O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

The Corporation of Chennai and the Assistant Commissioner, Zone-XV, Corporation of Chennai, which were impleaded as respondent Nos.6 and 7 have entered appearance and the seventh respondent has filed a report stating that at present there is no proposal being worked out for widening of the road and the drainage system.

2. The result of the aforesaid is that as and when the project is taken up, the undertaking required to be furnished by the petitioners as per the order dated 29.09.2015 would come

into force. A specific undertaking has been filed by the petitioners in this behalf.

3. We further direct that the petitioners are not entitled to part with possession or create any third party interest as also no further construction to be made and would only enjoy the existing premises subject to the requirement of road widening/drainage system etc. in which eventuality, they will have to vacate the area.

4. The writ petition is disposed of in terms aforesaid. We make it clear that it is open to the petitioners to request the Government for rehabilitation even at present stage. No costs.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

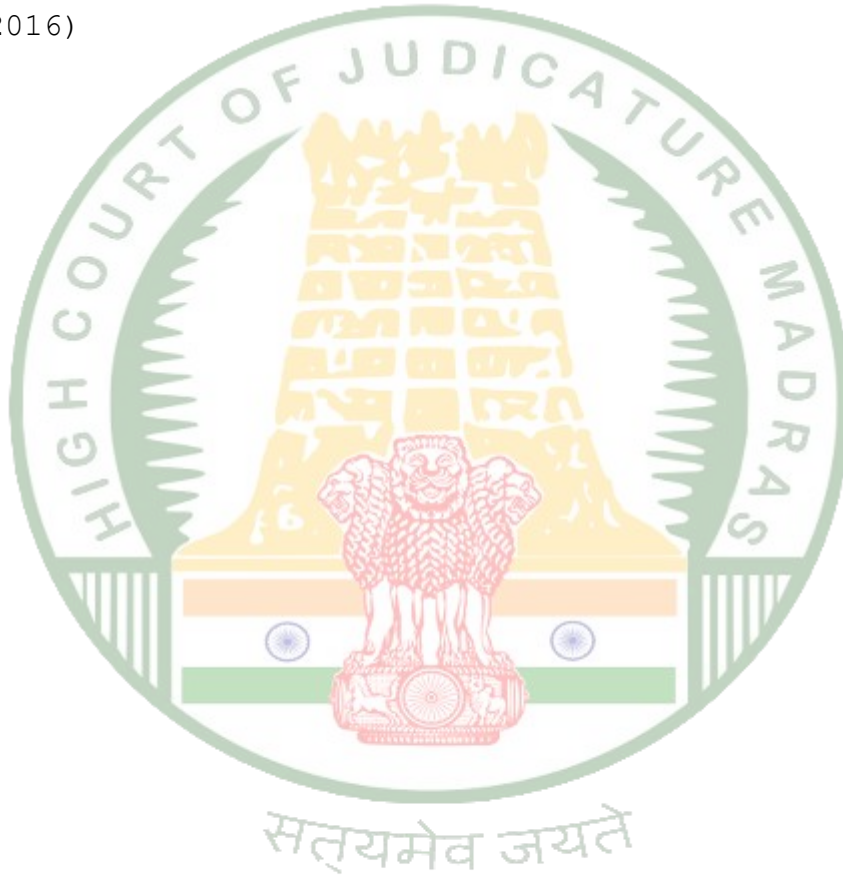
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+3cc's to Mr.R.Margabandhu, Advocate, S.R.No.4226
+1cc to Mr.K.Soundararajan, Advocate, S.R.No.4437

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RV(CO)
CA(08/02/2016)



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