

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 11.01.2016

Coram:

The Honourable Mr.SANJAY KISHAN KAUL, CHIEF JUSTICE
and
The Honourable Mr.Justice M.SATHYANARAYANAN

W.P.No.31170 of 2015

Golden Sea View Residents'
Welfare Association
represented by its Secretary,
Mr.Krishna Rajendra
82, I Main Road Part III,
VGP Golden Sea View Layout,
Palavakkam, Chennai 600 041.

... Petitioner

Versus

1.The State of Tamil Nadu
represented by its Secretary,
Revenue Department,
Secretary, Chennai.

2.The Member Secretary,
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Building,
Egmore, Chennai.

3.The Tahsildar,
Shollinganallur,
Chennai 600 119.

4.The Chairman
St.Thomas Mount Panchayat Union,
Chitlapakka, Chennai.

5.The Commissioner of Police,
Adithanar Road, Chennai.

6.M/s.VGP Investments
represented by its Partner
Mr.Babudas,
VGP House, VGP Pannerdas Salai,
Saidapet, Chennai 600015.

7.Venkatachalam

8. The DRO/Asst. Commissioner, Zone-14,
Corporation of Chennai.

..Respondents

Petition filed under Article 226 of the Constitution of India praying for the issue of a writ of Mandamus, directing the 2nd respondent to restore and preserve the lands in extent 21 grounds and 1525 sq.ft comprised in Old S.No.1/1A2A, revised S.No.1/634B of Palavakkam Village, Shollinganallur Taluk, which were set apart as Open Space Reservation meant for public use under LPDM/DDTP 131/75, by removing and preventing any encroachment of the said lands.

For Petitioner ::: Mr.S.P.Arthi

For Respondents::: Mr.S.T.S.Murthy
Government Pleader
assisted by Mr.V.R.Kamalanathan AGP
for R.1, R.3 and R.5
Mr.K.Rajasrinivas for R.2
Mr.G.Anantharangan for R.4

O R D E R

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

Learned counsel for the petitioner states that service has been effected on private respondents Nos.6 and 7 and that she has filed the proof of service today.

2. Insofar as the controversy relating to the area is concerned, learned Government Pleader, on the basis of the report of the Tahsildar states that the Open Space Reservation area (OSR land) has been identified and it is for the Corporation to now take possession of the same as the petitioner alleges the same to be in the custody of the 5th respondent. The Corporation in its affidavit has already stated that the land is public utility land and has been sought to be converted into plots. It was awaiting the report of the Tahsildar, who has now given the report dated 09.01.2016 to DRO/Assistant Commissioner, Zone-14, Corporation of Chennai.

3. Learned counsel for the Corporation states that necessary action will be taken by Zone-14, in view of the report of the Tahsildar, within 15 days from today, in accordance with law.

4. To obviate any difficulty in future, we implead the Corporation as the 8th respondent in the present petition and memo of parties be amended accordingly.

5. The writ petition accordingly stands closed, recording the statements of the learned counsel for the State Government as well as the Corporation of Chennai.

List for compliance on 26.02.2016.

ksr

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

- 1.The Secretary, The Revenue Department,
State of Tamil Nadu, Chennai.
 - 2.The Member Secretary,
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Building, Egmore, Chennai.
 - 3.The Tahsildar, Shollinganallur, Chennai 600 119.
 - 4.The Chairman, St.Thomas Mount Panchayat Union,
Chitlapakkam, Chennai.
 - 5.The Commissioner of Police, Adithanar Road, Chennai.
 - 6.The Commissioner, Corporation of Chennai,
Rippon Builddings, Chennai.
 7. The DRO/Asst. Commissioner, Zone-14,
Corporation of Chennai-3.
 8. The Section Officer, Writ Section, High Court, Mds-104.
(For Posting the matter on 26/02/2016)
- + 1 cc to Mr.S.P.Arthi, Advocate Sr 1850
+ 1 cc to Mr.K.Rajasrinivas, Advocate Sr 2110

MSM/CO
KR/22/1/16

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