

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 03.02.2016

Coram:

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

W.P.No.36952 of 2015

M/s.Anithu Vivasaaya Sagupadi
Pairkal Urpatthy Sangam,
Reg.No.190/2009,
No.5, Vaithiyar Street,
Peirya Kanchipuram,
Kanchipuram District,
represented by General Secretary Petitioner

versus

1.The State of Tamil Nadu,
represented by the Secretary to Government,
Public Works Department,
Secretariat, Chennai 600 009.

2. The District Collector,
Kanchipuram District.

3.The Revenue Divisional Officer,
Kanchipuram, Kanchipuram District.

4.The Tahsildar,
Kanchipuram Taluk Office,
Kanchipuram.

5.M/s.XS Real Properties Pvt., Limited,
No.12, South Mada Street,
Srinagar Colony,
Saidapet, Chennai 600 015.

6.M/s.Jacaranda Properties Pvt., Ltd.,
No.12, South Mada Street,
Srinagar Colony,
Saidapet, Chennai 600 015.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issue of a writ of Mandamus, to direct the third and fourth respondents to implement the order of the 2nd respondent in No.Na.Ka.14539/2015/A1 dated 02.09.2015.

For Petitioner :::Mr.V.Selvaraj

For Respondents :::Mr.V.R.Kamalanathan AGP for R.1 to R.4
Mr.Shivakumar for R.5 and R.6.

O R D E R

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

Counter affidavit filed by the 4th respondent and the stand of the learned counsel for the 5th and 6th respondents show that the District Collector, Kancheepuram, has already bestowed his consideration on the issue and passed the order on the earlier representation made by the petitioner in terms of the directions issued by this Court. Aggrieved by the report of the District Collector, 5th and 6th respondents have assailed the same in writ proceedings, where the petitioner is a party.

2. We are thus of the view that the parties are entitled to work out their remedy in those proceedings and a separate petition would not be maintainable.

3. The writ petition stands closed with the aforesaid terms. No costs.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

ksr

Copy to:

1.The Secretary to Government,
Public Works Department, Secretariat, Chennai 600 009.

2. The District Collector, Kanchipuram District.

3.The Revenue Divisional Officer, Kanchipuram, Kanchipuram District.

4.The Tahsildar, Kanchipuram Taluk Office, Kanchipuram.

1 cc to Government Pleader, Sr. 7180

1 cc to Mr.Devadasan, Advocate, Sr. 7154

1 cc to Mr. Shivakumar & Suresh, Advocate, Sr. 7008

W.P.No.36952 of 2015

CA (CO)

kk 16/2