

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.07.2016

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P. No.23790 of 2013
and M.P.No.1 of 2013

Vallalar Nagar House Owners Welfare
Association, Rep. by its Secretary,
T.Krishnakumar. ... Petitioner

-vs-

- 1.The Chief Secretary,
Govt. of Tamil Nadu, Fort St. George,
Secretariat, Chennai-9.
- 2.The Secretary,
Hindu Religious and Charitable Endowment
Dept., Fort St. George, Secretariat,
Chennai-9.
- 3.The Secretary,
Tamil Development and Cultural Dept.,
Fort St. George, Secretariat, Chennai-9.

4.Leelavathi

5.Geetha

6.Subha

7.Savithri

8.Sorna

9.Sundari

10.Sripathy

11.Chandravadana

(R-11 impleaded as per order dated
21.07.2016 in MP.1 of 2014)

in W.P.No.23790/2013

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the respondents to take necessary steps to take over the building bearing Door No.31 Veerasamy Street Seven Wells Chennai-1 as a memorial house of the Great Saint Vallalar as per the decision

taken on 4.4.2003 which was published in the Tamil Nadu Legislative Assembly Debates Official Report.

For Petitioner : Mr.S.Prabhakaran, Sr.C.
For Mr.A.Thiagarajan

For Respondents : Mr.S.T.S.Murthi,
Govt. Pleader, assisted by
Mr.V.Shanmugasundar, G.A.
For RR 1 and 3
: Mrs.Rita Chandrasekar for R-2
: Mr.Gunasekar for RR 4 to 10
: Mr.J.Jayavenkatraman for R-11

O R D E R

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

The petitioner prays for taking steps to build a memorial house for the Great Saint Vallalar for which a decision was taken in the Assembly on 04.04.2003.

2.It appears from the counter-affidavit that endeavours were made to negotiate a settlement as the property is privately owned, but those efforts were not fruitful. Undoubtedly, we cannot issue a direction to acquire the private property at the behest of the petitioner in a public interest litigation. The only way the petitioner can succeed in the endeavour is to be able to negotiate with the private parties owning the property with or without the assistance of the Government to have a working arrangement.

3.Writ petition is closed with the aforesaid observation. No costs. Consequently, M.P.No.1 of 2013 is also closed.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

sra

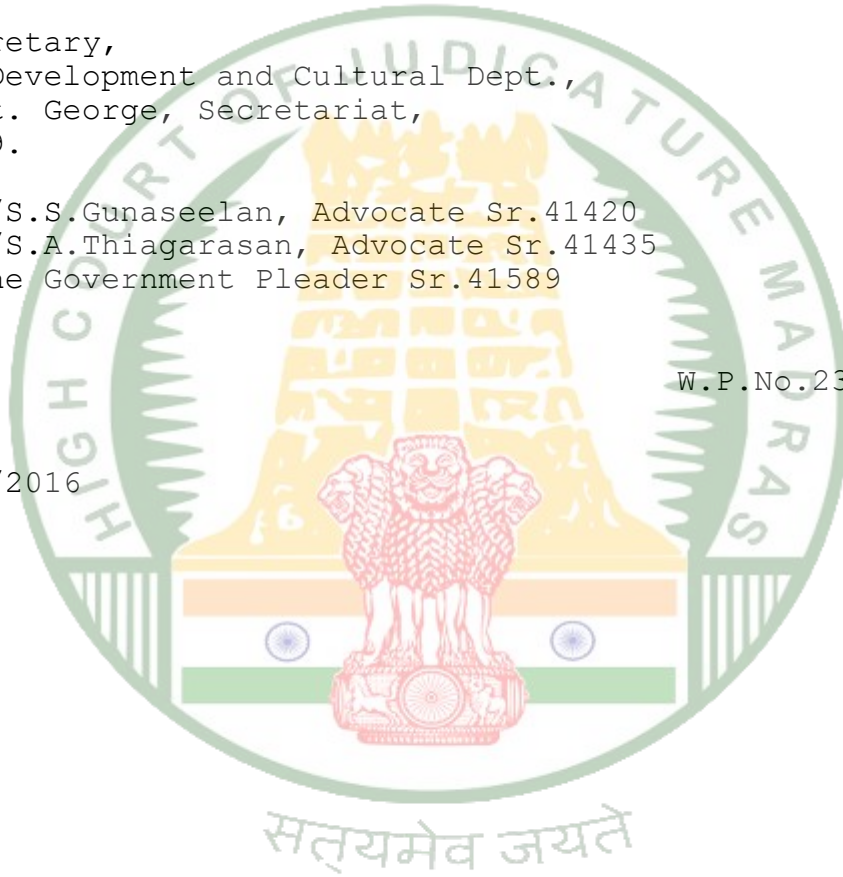
To

- 1.The Chief Secretary,
Govt. of Tamil Nadu, Fort St. George,
Secretariat, Chennai-9.
- 2.The Secretary,
Hindu Religious and Charitable Endowment
Dept., Fort St. George, Secretariat,
Chennai-9.
- 3.The Secretary,
Tamil Development and Cultural Dept.,
Fort St. George, Secretariat,
Chennai-9.

+1cc to M/S.S.Gunaseelan, Advocate Sr.41420
+1cc to M/S.A.Thiagarasan, Advocate Sr.41435
+1cc to the Government Pleader Sr.41589

W.P.No.23790 of 2013

Mp[col]
srg 09/08/2016



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