

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.08.2016

CORAM

THE HON'BLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
and
THE HON'BLE MR. JUSTICE R.MAHADEVAN

Review Application No.107 of 2016
in
W.P.No.11823 of 2014

Chennai Egmore Residents & Owners
Welfare Association,
Flat No.D, CSG Manor,
22, Aravamudham Garden Street,
Egmore, Chennai-600 008,
rep. by its Secretary T.D.Ramalingam .. Applicant
vs

- 1.The Commissioner,
Corporation of Chennai,
Ripon Buildings, Chennai-600 003.
- 2.The Member Secretary,
Chennai Metropolitan Development Authority,
No.1, Gandhi Irwin Road,
Egmore, Chennai-600 008.
- 3.The Commissioner of Police,
Greater Chennai,
E.V.K.Sampath Salai,
Vepery, Chennai-600 007.
- 4.The Asst. Commissioner cum Zonal Officer,
Royapuram Zone V,
Corporation of Chennai,
62, Basin Bridge Road,
Old Washermanpet, Chennai-600 053.
- 5.Sri Ayyappa Prarthana Mandir Samithi Trust,

New No.19 (Old No.10), Chinna Reddy Street,
Egmore, Chennai-600 008,
rep. by its Managing Trustee Vivekanandan.

..Respondents

Review Application filed under Clause XLVII Rule 1 and 2 read with Section 114 of CPC, review the order dated 28.07.2016 made in W.P.No.11823 of 2014 on the file of this Court.

For Applicant .. Mr.P.Amarnath

For Respondents .. Mr.K.Raja Srinivas for R2
Mr.M.K.Subramanian
Govt. Pleader for R3
No Appearance for R1 & 4

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O R D E R

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

The applicant, through the present application, claims that the Residents' Association was not claiming any easementary right, as observed in the first paragraph of the order. The learned counsel for the applicant states that in paragraph 6 of the affidavit, the reference of easementary rights is qua the adjacent owner.

2. We are of the view that the said plea is meaningless for the reason that it has to be read with paragraph 7 of the affidavit, which claims that since the rights of parking space, walking area etc.

would be affected, they are also in the nature of easementary rights.

There is no error apparent on the face of the record.

3. The review application is dismissed. No costs.

(S.K.K., CJ.) (R.M.D.,J.)
31.08.2016

Index : Yes/No

Internet : Yes/No

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To

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The Hon'ble Chief Justice

and
R.Mahadevan, J.

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