

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.09.2020

CORAM

THE HONOURABLE MRS.JUSTICE **PUSHPA SATHYANARAYANA**

W.P.No.30167 of 2016

Sathya Studios (P) Ltd.,
Rep by its Managing Director M.Rajendran
Sathyabhama M.G.R.Maligai,
No.6, Adyar Bridge Road,
Chennai 600 028.

... Petitioner

vs

1. The State of Tamil Nadu,
Rep by its Secretary,
Revenue Department.
Fort St.George, Chennai.

2. The District Collector,
Chennai District No.62, Rajaji Salai,
Chennai 600 001.

3. The Tahsildar,
Mylapore, Triplicane Taluk,
Chennai - 600 028

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of certiorari calling for the records of the 3rd respondent in proceedings Rc.No. (B3) 4958/1990 dt 01.12.2008 and quash the same.

For Petitioner : Mr.Madhan Babu

For Respondents : Mr.S.R.Rajagopal, AAG
Assisted by Mr.V.Shanmugasundar
Spl.Govt.Pleader.

ORDER

This writ petition is heard through Video-Conferencing, on account of the COVID-19 pandemic situation.

2. The prayer sought for in this writ petition is to call for the records of the third respondent in proceedings Rc.No. (B3) 4958/1990 dated 01.12.2008 and quash the same.

3. The petitioner had made a representation to the District Collector, Chennai on 07.09.2020, pending this Writ Petition. Admittedly, an interim direction to maintain status quo was granted on 22.12.2008, which was made absolute on 14.11.2011.

4. Nevertheless, in the recent representation given by the petitioner in paragraph Nos.13 and 15, the petitioner themselves have acknowledged the proposal for construction of a connecting road and the land that may be required for the said purpose is around 3000 sq. mtrs and the request to the

Collector is only for leasing out the remaining 64,000 sq.ft of land in Survey No.4275/5.

5. Mr.S.R.Rajagopal, learned Additional Advocate General assisted by Mr.V.Shanmugasundar, learned Special Government Pleader appearing for the respondents expresses the urgency in the matter, as contracts have to be awarded to the third parties for carrying out the work of laying up of the road, pending consideration of the representation of the petitioner before the District Collector, Chennai.

6. As the petitioner has also understood the difficulty and it is also willing to give up the required extent of land of 3,000 sq.mtrs approximately, it is open to the respondents to proceed with their project. However, it is made clear that before actually commencing their work, the third respondent has to measure the exact passage required for the said purpose.

7. Excepting the above direction, the order of status-quo already passed by this Court for not evicting the petitioner, etc. would remain unaltered.

PUSHPA SATHYANARAYANA.J

gg/srn

8. Considering the importance and the urgency of the matter, the District Collector, Chennai, who is the second respondent herein, is directed to consider the representation of the petitioner dated 10.09.2020 as expeditiously as possible, however, not beyond four weeks from today.

9. Post the writ petition, after 4 weeks, i.e., on 02.11.2020.

28.09.2020

gg/srn

To

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State of Tamil Nadu,
Revenue Department.
Fort St.George, Chennai.
2. The District Collector,
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Chennai 600 001.
3. The Tahsildar,
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