

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2017

CORAM

THE HON'BLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND

THE HON'BLE MR.JUSTICE M.SUNDAR

W.P.No.6714 of 2016

Dr.Nasreen Ahmed

... Petitioner

Vs.

1. The Member Secretary
Chennai Metropolitan Development Authority
Gandhi Irwin Road
Egmore, Chennai - 600 008.
2. The Commissioner
Corporation of Chennai
Ripon Buildings
Chennai - 600 003.
3. The Chief Planner
Multi Storied Building (MSB)
Chennai Metropolitan Development Authority
Gandhi Irwin Road
Egmore, Chennai - 600 008.
4. The Deputy Commissioner
Corporation of Chennai
(Parks and Play Field - OSR)
Ripon Buildings, Chennai - 600 003.
5. The Superintendent Engineer
In-Charge of Open Space Reservation and Parks
Corporation of Chennai
Ripon Buildings, Chennai - 600 003.
6. Binny Limited
rep. by its Managing Director
No.1, Cooks Road, Otteri
Perambur, Chennai - 600 012.
7. Landmark Barracks Projects Pvt. Ltd.
rep. by its Managing Director, T.Udayakumar
No.27, Saravana Street
T.Nagar, Chennai - 600 017.

... Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a writ of Mandamus directing respondents 1 to 5 herein to maintain the 20 Feet Width Road x around 160 Feet Length running from North to South (Barracks Lane New Colony Road, Perambur Barracks Road, Chennai - 600 012) as shown in Plan and Earmarked RED in colour should remain as ROAD without any interruptions or constructions without obstructions of any kind for ingress and egress from Corporation Road called Binny Lane and further directing respondents 1 and 2 to sanction plan in conformity with orders passed by this Court in C.S. No.72 of 2014 dated 5.2.2014 in regard to the 20 Feet Width Road x around 160 Feet Length Road running from North to South (Barracks Lane New Colony Road, Perambur Barracks Road, Chennai - 12) in respect of the application made by respondents 6 and 7 relating to the project "Landmark Barracks Project Pvt. Ltd.".

For Petitioner : Mr.S.L.Sudarsanam

For Respondents : Mr.N.Sampath
for respondents 1 and 3
Mr.K.Soundararajan
for respondents 2, 4 and 5
Mr.Sanjay Kumar
for respondents 6 and 7

ORDER

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

The order dated 12.1.2017 is stated to have been complied with insofar as the obstruction of the house of the petitioner is concerned and shall be maintained so.

2. Insofar as seventh respondent compensating the Corporation for the land is concerned, the learned counsel states that a proposal has been given and on finalization of the proposal a gift deed would be executed. This aspect be dealt with inter se the Corporation and the seventh respondent and concluded within one month from today.

3. The petition, accordingly, stands disposed of. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

sasi

To:

1. The Member Secretary
Chennai Metropolitan Development Authority
Gandhi Irwin Road
Egmore, Chennai - 600 008.
2. The Commissioner
Corporation of Chennai
Ripon Buildings
Chennai - 600 003.
3. The Chief Planner
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Ripon Buildings, Chennai - 600 003.
5. The Superintendent Engineer
In-Charge of Open Space Reservation and Parks
Corporation of Chennai
Ripon Buildings, Chennai - 600 003.

+lcc to Mr.S.A.Rajan, Advocate, S.R.No.6662
+lcc to Mr.N.Sampath, Advocate, S.R.No.6789

W.P.No.6714 of 2016

KJ(CO)
CA(13/02/2017)

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