

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.01.2018

CORAM:
THE HONOURABLE MR. JUSTICE S. VAIDYANATHAN

W.P.No.26581 of 2017

M.S.Rangarajan

... Petitioner

vs.

1. The Pammal Municipality,
Pammal, Chennai 600 075.
2. The District Collector,
Kancheepuram District,
Kancheepuram.
3. Chennai Metropolitan Development Authority,
Gandhi Irwin Road,
Egmore, Chennai 600 008.
4. Tamil Nadu Pollution Control Board,
76, Anna Salai,
Guindy, Chennai 600 032.
5. The Secretary,
Municipal Administration and
Water Supply Department,
Government of Tamil Nadu,
Fort St. George, Chennai 600 009.
6. The Commissioner of Municipal Administration,
Ezhilagam, Chennai 600 005.
7. The State Bank of India
Staff Co-operative Housing Society Ltd. No.X-444,
1st Line Beach,
Chennai 600 001.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of certiorarified mandamus, calling for the records of the 1st respondent comprised in the impugned tender notice bearing Reference Number 874/2017/E1 published in 'Dhinathanthi' newspaper on 13.09.2017 and e-tender notice republished on the web portal of Tamil Nadu Government e-Procurement System vide Tender Reference Number 874/2017/E1, bearing the Title and Work Description "PAMMAL MUNICIPALITY-MICRO COMPOST CENTRES - Construction of Micro Compost Plant at I Street, SBI Colony in Ward No.9", dated 22.09.2017 and all proceedings connected and consequent thereto, and quash the same as being illegal, arbitrary and unconstitutional, and further forbear the 1st respondent, or anyone action under or through them, from in any manner interfering with, entering upon, or otherwise taking possession of, or creating any right, interest or any other encumbrance over the land earmarked as 'children playground' in the layout of the State Bank of India colony in Pammal or otherwise changing the user of the said land, including by way of construction, operation and maintenance of any Micro Compost Plant or any variant thereof, either by itself or through its agents, men, servants and contractors.

For Petitioner	:	Mr.Sathish Parasaran for Mr.R.Parthasarathy
For Respondents 1, 2, 5 & 6	:	Mr.S.Diwakar, Special Government Pleader
For 3rd Respondent	:	Mr.M.Karthikeyan
For 4th Respondent	:	No appearance
For 7th Respondent	:	Mr.L.P.Shanmuga Sundaram

ORDER

The petitioner has come up with this Writ Petition seeking to quash the impugned tender notice bearing Ref.No.874/2017/E1 published in 'Dhinathanthi' newspaper on 13.09.2017 and the e-tender notice republished on the web portal of Tamil Nadu Government e-Procurement System vide Tender

Ref.No. 874/2017/E1 and to forbear the 1st respondent from entering upon the land earmarked as 'children playground' in the layout of the State Bank colony in Pammal.

2. According to the petitioner, the 7th respondent Co-operative Society, during the year 1972, had purchased lands comprised in Survey Nos.67/8, 67/9, 68/1, 71/1, 71/2 and 71/3, measuring an extent of 5.83 acres situate in Pammal and promoted a layout for the benefit of its members, who were the employees of the State Bank of India. The 7th respondent had also formed a residential layout comprising of 49 house sites and had duly obtained the approval of the 1st respondent and other competent authorities. The said layout was duly approved and the 7th respondent had also set aside internal roads and further earmarked and allocated an extent of about 4 grounds and 1624 sq. ft. of open land situate in Survey No.71/3 in Village No.129, Pammal located in the First Street of the State Bank of India colony as "Children Playground" for the larger benefit of the residents. The said playground has been and continues to be maintained by the State Bank Colony Welfare Association.

3. It is further stated by the petitioner that the office bearers of the State Bank Colony Welfare Association came to know that the 1st respondent is

proposing to install an Integrated Municipal Solid Waste facility in the precincts of the said playground and hence, they raised their objections to the proposed move. While so, the 1st respondent issued a tender notice, which was published in 'Dhinathanthi' newspaper on 13.09.2017, calling for submission of bids by eligible contractors, for the construction of a Micro Compost Plant in the playground meant for children. The case of the petitioner is that the land comprising the playground is still owned by the 7th respondent and the 1st respondent is neither the owner of the land comprised in Survey No.71/3, which relates to the playground, nor is in possession of the said land as evidenced by Patta No.2608, and that he has no manner of right in law to initiate any action to construct, install and operate a Micro Compost Plant in the Playground, either by itself or through any of its contractors.

4. Learned counsel for the petitioner contended that the 1st respondent ought to have identified and got allocated suitable Government land from the 2nd respondent, in terms of Solid Waste Management, 2016 instead of attempting to usurp and illegally take over the land earmarked, approved and utilized as playground, which is in existence for over four decades and whose lawful owner is the 7th respondent. According to the learned counsel, the 1st respondent is charged with a statutory duty to maintain and protect parks and playgrounds and not to change the user of the

same to any other purpose or activity, such as construction of a Micro Compost facility as sought to be done through the impugned tender notice, over the existing playground.

5. It is further contended by the learned counsel for the petitioner that the 1st respondent, through the impugned tender notice, sought to convert the existing playground into an industrial and highly polluting Micro Compost Plant within a thickly populated residential zone, which directly affects and negates the right of the general public in the vicinity of the playground. According to the learned counsel, at any point of time, the open space in a residential area, which is treated as a lung space of that area, cannot be converted into Godowns, causing environmental hazards. He also contended that the 1st respondent has not taken into consideration the objections raised by the residents of the State Bank of India colony, expressed through their letter dated 30.08.2017. He pointed out that the layout was sanctioned in the year 1972 and Development Control Rules came into force in 1975 and the said Rules cannot be applicable to the issue on hand.

6. In support of his case, learned counsel for the petitioner has relied on the following decisions of the Apex Court:

- (i) **Dr.G.N.Khajuria vs. Delhi Development Authority, (1995) 5 SCC**

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"8. We, therefore, hold that the land which was allotted to Respondent 2 was part of a park. We further hold that it was not open to the DDA to carve out any space meant for park for a nursery school. We are of the considered view that the allotment in favour of Respondent 2 was misuse of power, for reasons which need not be adverted. It is, therefore, a fit case, according to us, where the allotment in favor of Respondent 2 should be cancelled and we order accordingly. The fact that Respondent 2 has put up some structure stated to be permanent by his counsel is not relevant, as the same has been done on a plot of land allotted to it in contravention of law. As to the submission that dislocation from the present site would cause difficulty to the tiny tots, we would observe that the same has been advanced only to get sympathy from the court inasmuch as children, for whom the nursery school is meant, would travel to any other nearby place where such a school would be set up either by Respondent 2 or by any other body.

9. The appeal is, therefore, allowed by ordering the cancellation of allotment made in favour of Respondent 2. It would be open to this respondent to continue to run the school at this site for a period of six months to enable it to make such alternative arrangements as it thinks fit to shift the school, so that the children are not put to any disadvantageous position suddenly."

- (ii) **Pt. Chet Vashist (Dead) by LRs. vs. Municipal Corporation of**

Delhi, (1995) 1 SCC 47

"5. The resolution of the Standing Committee, therefore, that the area specified in the layout plan for the park and school shall vest in the Corporation free of cost, was not in accordance with law.

6. Reserving any site for any street, open space, park, school etc. in a layout plan is normally a public purpose as it is inherent in such reservation that it shall be used by the public in general. The effect of such reservation is that the owner ceases to be a legal owner of the land in dispute and he holds the land for the benefit of the society or the public in general. It may result in creating an obligation in nature of trust and may preclude the owner from transferring or selling his interest in it. It may be true as held by the High Court that the interest which is left in the owner is a residuary interest which may be nothing more than a right to hold this land in trust for the specific purpose specified by the coloniser in the sanctioned layout plan. But the question is, does it entitle the Corporation to claim that the land so specified should be transferred to the authority free of cost. That is not made out from any provision in the Act or on any principle of law. The Corporation by virtue of the land specified as open space may get a right as a custodian of public interest to manage it in the interest of the society in general. But the right to manage as a local body is not the same thing as to claim transfer of the property to itself. The effect of transfer of the property is that the transferor ceases to be owner of it and the ownership stands transferred to the person in whose favour it is transferred. The resolution of the Committee to transfer land in the colony for park and school was an order for transfer without there being any sanction for the same in law.

8. For these reasons even though the judgment and decree of the High Court are liable to be set aside but we refrain from doing so. Yet in order to protect interests of the owners of house and residents of the colony it is directed that the order of the High Court shall stand modified to the following effect:

(1) The Corporation shall have right to manage the land which was earmarked for school, park etc.

(2) The Corporation shall not have any right to change the user of land which shall be for beneficial enjoyment of the residents of the colony.

(3) It is left open to the Corporation to get the land transferred in its favour after paying the market price as prevalent on the date when the sanction to the layout plan was accorded."

(iii) **Raju S.Jethmalani and others vs. State of Maharashtra and others, (2005) 11 SCC 222**

"2. ... In that development plan Plots Nos. 437 and 438 were earmarked for the purposes of park and garden. This draft development plan was ultimately finalised and sanctioned on 5-1-1987. The present controversy centres around Plot No. 438 and this plot originally belonged to Respondent 3. She did not object to the reservation of the plot for the garden. In December 1986, this plot was purchased by Respondents 4 to 10 in the writ petition (the appellants herein) at a throwaway price. These Respondents 4 to 10 then initiated a proposal for dereserving this plot before the Government. The Government of Maharashtra after hearing the Planning Authority and on receiving report from the Municipal Corporation of Pune that they are not in a position to acquire this plot of land for garden, dereserved the plot by the aforesaid impugned notification. This was challenged by a public interest litigation contending that once the land is earmarked for a particular purpose, namely, to promote environmental exigencies, the same cannot be dereserved to defeat the public purpose. Heavy reliance was placed on a decision of this Court in the case of *Bangalore Medical Trust v. B.S. Muddappa* [(1991) 4 SCC 54] . As

against this, learned counsel appearing for the Municipal Corporation of Pune submitted that the proposal for dereservation was mooted by the Corporation at the behest and on the dictate of the State Government and it was also pointed out that the Municipal Corporation of Pune had no financial resources to acquire the aforesaid land. It was also submitted that the decision rendered by this Court in the case of *Bangalore Medical Trust* [(1991) 4 SCC 54] cannot be of any assistance to the present controversy as the provisions of the Bangalore Development Authority Act, 1976 are not in pari materia with that of the provisions of the Maharashtra Regional and Town Planning Act, 1966.

3. **There is no prohibition of including private land in a development plan but no development can be made on that land unless that private land is acquired for development. The Government cannot deprive the persons from using their private property.** We quite appreciate the interest of the residents of that area that for the benefit of the ecology, certain areas should be earmarked for garden and park so as to provide fresh air to the residents of that locality. In order to provide such amenities to the residents of the area private land can be acquired in order to effectuate their public purpose but without acquiring the private land the Government cannot deprive the owner of the land from using that land for residential purpose. In the present case, it is clear that Plot No. 438 belonged to a private person and it was shown as a garden in the development plan of 1966. But no effort was made by the Municipal Corporation or the Government to acquire this plot for the purpose of developing it as a garden. When it was not acquired for the purpose of garden, the owner of this land i.e. the appellants moved the Government for dereserving this land and the Government after resorting to necessary formalities dereserved the land by the impugned notification."

7. Learned counsel for the petitioner has further relied on the following Division Bench judgments of this Court:

(i) **Sri Devi Nagar Residences Welfare Association vs. Subbathal, 2007 (3) L.W. 259**

"12. Where open space for construction of public park is preserved and earmarked in the Plan for Development of a planned town, the Authorities cannot ignore or neglect to develop that open space into a public park within reasonable time. Unless an open space reserved for a public park is developed as such, the execution of the plan will remain incomplete. Buildings, as proposed in the plan, may have come up, amenities and civic amenities may have been provided and the people may have started living in the colony, yet the plan cannot be said to have been fully executed, if an open space meant for a park is not developed as such. The duty of the authorities is to implement the plan in entirety making the area beautiful with attractive public parks. Their job is not over when the area becomes habitable.

13. Good parks expansively laid out are not only for aesthetic appreciation, but in the fast developing towns having conglomeration of buildings, they are a necessity. In crowded towns where a resident does not get anything but atmosphere polluted by smoke and fumes emitted by endless vehicular traffic and the factories, the efficacy of beautifully laid out parks is no less than that of lungs to human beings. It is the verdant cover provided by public parks and greenbelts in a town, which renders considerable relief to the restless public. Hence the importance of public parks cannot be under-estimated. Private lawns or public parks are not a luxury, as they were considered in the past. A public park is a gift of modern civilization, and is a significant factor for the improvement of the quality

of life. Open space for a public park is an essential feature of modern planning and development, as it greatly contributes to the improvement of social ecology."

(ii) Thai Nagar Welfare Association vs. Special Commissioner, Town

Planning, 2008 (6) CTC 689

"2.2. While that being so, it is proclaimed by the fourth respondent that she has been permitted to put up three godowns in the places earmarked as public open place. The reservation of the vacant land as an open land is only in conformity with the rules and regulations for formation of the layout and also with the approval by the Town Planning authorities and the said open land is vested only with the third respondent Corporation and open for public for their use and enjoyment. An enquiry made by the petitioner society revealed that the fourth respondent has made applications to the first respondent on 21.06.2000 and 13.02.2001 and on the basis of the said applications, the first respondent, by his order dated 13.03.2001, has granted permission to the fourth respondent to convert the portion of the public place into the place for construction of three godowns. On the basis of the order of exemption, dated 13.03.2001, the second respondent passed further orders permitting the conversions for construction of three godowns by the fourth respondent and the third respondent also granted the building permission on the basis of the exemption granted by the respondents 1 and 2.

11. The open space in a residential area or in busy townships is treated as a lung space of the area. Where open space is preserved and earmarked in the plan for development of a planned town, the authorities cannot ignore the public interest and allot the same for construction of godowns, thereby causing environmental hazards to the residents of the colony. In other words, when an area is earmarked for a

particular purpose in the approved layout, the said area cannot be converted or used for a different purpose. Open space is an essential feature of modern planning and development, as it greatly contributes to the improvement of social ecology. The interests of the residents of the area, who have purchased the plots as per the approved layout, have to be safeguarded and for the benefit of ecology, certain areas should be earmarked for garden and park, so as to provide fresh air to the residents of that locality, as ecological factors indisputably are very relevant considerations in construing a town planning statute.

13. When the fourth respondent had accepted the earlier layout sanction subject to the condition that the disputed area should be kept as a public area and also acted upon such a condition not only in the formation of the layout but also in the sale of the approved plots, she is estopped from making any claim for the alteration of the layout plan. Further, the respondents 1 to 3 cannot have any right to change the user of the land earmarked for the beneficial enjoyment of the residents of the layout, now called as Thai Nagar. The order of exemption was passed by the first respondent mechanically and arbitrarily even without issuing any notice to the beneficiaries who are enjoying the public area from the year 1985, depriving them of their right to live in good and habitable environment. If granting of exemption was so necessitated, the first respondent ought to have called for objections from the residents of the locality and of Thai Nagar as well as Tirunelveli Municipal Corporation before passing the impugned order. When any statute confers any power on any statutory authority, however wide the discretion may be, the same has to be exercised reasonably within the sphere that statute confers and such exercise of power must stand the test of judicial scrutiny. The apprehension of the petitioners that the permission for construction of three godowns would completely change

the very living conditions and atmosphere, thereby polluting the residential area with dust and traffic hazard, affecting the personal safety of the residents, cannot be said to be untrue. Therefore, **the impugned order suffers from non-application of mind on the part of the respondent authorities, as the suitability of the place, as contemplated under clause (b) to Section 49(2), for construction of godowns in the residential area, was not taken into consideration. "**

8. On the other hand, learned counsel appearing for the 1st respondent/Municipality produced the counter filed by the 1st respondent and contended that while making a layout, it is mandatory that 10% of the total land is reserved for public purpose, excluding the land for streets and roads within a layout and the same has to be handed over to the local bodies concerned, but, the petitioner has not handed over the reserved site to the Municipality. He submitted that the Micro Composting facility is to occupy only a meagre portion of the playground and that there will not be any dumping or accumulation of waste, as apprehended by the petitioner. He further submitted that the impugned proceedings have already been executed and work order has also been issued by the 1st respondent/Municipality. He pointed out that implementation of Micro Composting facility will prevent entry of food waste into the environment and it is only for the benefit of the public.

9. In reply, learned counsel appearing for the 3rd respondent/CMDA submitted that an application is pending before the National Green Tribunal with regard to addressing environmental issues and that the petitioner has got alternative remedy under the Environmental Protection Act and the Writ Petition is not maintainable.

10. Learned counsel appearing for the 4th respondent/Pollution Control Board submitted that the Pollution Control Board has given permission to the 1st respondent/Municipality to go ahead with the construction of Micro Compost Plant in the playground in question. According to the learned counsel, setting up of a Micro Compost Plant in the playground in question is not going to cause any harm to anyone.

11. Heard the learned counsel on either side and perused the material documents available on record.

12. It is not in dispute that the entire land in question belongs to the 7th respondent herein and the same was approved and revised layout was given in the year 1974. It is also not in dispute that a portion of the land in question is earmarked for children's playground. The case of the 1st

respondent/Municipality is that 10% of the total layout has to be reserved as open space. But, according to the petitioner, the same is not applicable to their case.

13. On a reading of the above judgments relied on by the learned counsel for the petitioner, it is clear that when an area is earmarked for a particular purpose in the approved layout, the said area cannot be converted or used for a different purpose. The duty of the authorities is to implement the plan in entirety, in the interest of public. In this case, it is true that the residential layout measuring an extent of 5.83 acres in Survey No.71/3 situated in Pammal has been approved and a portion of it, i.e. an extent of 4 grounds and 1624 sq. ft. of open land has been earmarked as "Children's Playground", out of which, only 2485.56 sq. ft. of land has been identified for setting up of Micro Compost Yard.

14. According to the 1st respondent/Municipality, the playground in question was not maintained properly. As per the Municipal Solid Waste Rules, 2016, the local body is required to set up Municipal Solid Waste handling facility as well as Micro Composting Facility within a small geographical area, so that the highly bio-degradable wastes, such as vegetables, fruits and food waste can be reused by means of micro composting, where, the end-product

viz. manure can be effectively used for gardening and agriculture. It is the further case of the 1st respondent/Municipality that the Micro Composting facility is to occupy only a meagre portion of the playground with a Toilet for the workers engaged in the composting facilities to prevent open defecation in the area, apart from a small storage room for the safe storage of the packaged manure meant for disposal.

15. While making a layout, it is now mandatory to reserve 10% of the total land for public purpose excluding the land for streets and roads within the layout. But, the same has not been done in the case on hand, as the layout was approved earlier to the Development Rules. Though the petitioner contends that the setting up of Micro Compost Plant in the playground in question is bound to create irreparable and non-reversible pollution of air, land, ground water, besides emanating unbearable, filthy and dangerous odour, it is the case of the 1st respondent/Municipality that the waste generated by the residents of the petitioner's layout and the immediately surrounding areas, are being dumped by them in and around the Playground space itself.

16. Though the petitioner has raised genuine issues as regards pollution of all sorts due to the setting up of Micro Compost Plan in the

Playground, this Court opines that the garbage that is dumped in and around the layout and playground, will be collected by the workers of Micro Compost Yard and segregated into bio-gradable wastes and non-bio-degradable wastes, to ensure that the place is neat. As regards pollution, the 1st respondent/Municipality, in paragraph 9 of its counter affidavit, has clearly stated that the composting will be carried out in hermetically constructed tubs using bricks and concrete of proper specifications for water proofing and will be self-contained to prevent any spread of decaying matter or leachate into the surrounding environment.

17. Private lawns or public parks are not a luxury, as they were considered in the past. Public Park is a gift of modern civilization and that reservation of vacant land as an open land is in conformity with the rules and regulations for formation of the layout and is meant for public use and enjoyment and it cannot be disputed that Open Space Reserve is treated as lung space.

18. The Apex Court has categorically held that where open space is preserved and earmarked in the plan for development of a planned town, the authorities cannot ignore the public interest and allot the same for construction of godowns, thereby causing environmental hazards. Ecology has

been completely destroyed by human beings by encroaching OSR, playgrounds, river bunds, lakes, etc. But the official respondents must ensure that the waste has to be disposed of in a scientific manner. In a developing country, technicalities should not be a bar for development.

19. When a public park is a gift of modern civilization, Open Space Reserve is the lung space and setbacks are for the purpose of rain harvest, Micro Compost Yards are essential for disposal of the waste, so that it will not endanger the health of the citizens, more particularly, children, who are likely to be affected on account of mosquitoes, flies, etc, which cause air borne and water-borne diseases. When citizens want development, certainly, they will have to co-operate for the betterment of the environment and ensure that no pollution is caused on account of their attitude in disposing of the waste from their respective residence. Though, strictly speaking, Development Rules have come into effect in 1975 and that the layout in question was approved in 1972, there is no hard and fast rule that there cannot be any development at all.

20. Residents/citizens cannot expect the authorities to identify a different place far away from the place of residence to have a Compost Yard and that there is a possibility of the residents of that area to object for setting up of a Compost Yard for disposal of the waste which are not generated from

their residence.

21. Now that the Government has come up with effective policies in segregation of wastes of all kinds, people are expected to welcome such measures and must co-operate with the authorities in maintaining a healthy environment. Even though garbage bins are set up in every street, it is painful to see people throw garbage near the bin and not into the bin. From stone-age, we have come to the modern era. Certainly development is required for our betterment and hence, technicalities should not come in the way that may be detrimental to the development of the Society.

22. In view of the above and taking into account the submissions of the 1st respondent/Municipality that the Micro Compost Yard, that is to be set up in the Playground in question, will be neatly maintained without any pollution and that only a meagre portion of the Playground is required for setting up of Micro Compost Yard, **this Court finds no reason to interfere with the impugned tender notice published by the 1st respondent/Municipality.**

23. It is made clear that if the Micro Compost Yard that is to be set up in the Playground in question is not maintained properly, the officials, who are in-charge of that place during the relevant period shall be dismissed from

service, on the ground that the Officer has failed to maintain absolute integrity, devotion to duty and that he has done the work of unbecoming of a member of his service.

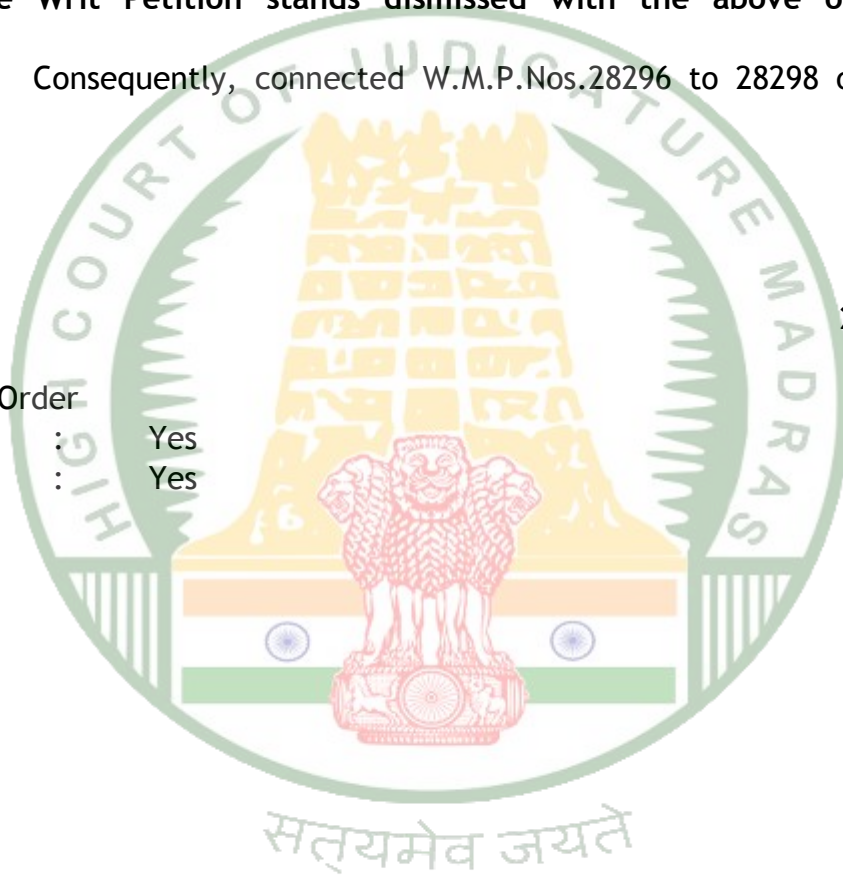
The Writ Petition stands dismissed with the above observation.

No costs. Consequently, connected W.M.P.Nos.28296 to 28298 of 2017 are closed.

22.01.2018

Speaking Order
Index : Yes
Internet : Yes

(aeb)



WEB COPY

To:

1. The Pammal Municipality,
Pammal, Chennai 600 075.
2. The District Collector,
Kancheepuram District, Kancheepuram.
3. Chennai Metropolitan Development Authority,
Gandhi Irwin Road, Egmore, Chennai 600 008.
4. Tamil Nadu Pollution Control Board,
76, Anna Salai, Guindy, Chennai 600 032.
5. The Secretary,
Municipal Administration and Water Supply Department,
Government of Tamil Nadu, Fort St. George, Chennai 600 009.
6. The Commissioner of Municipal Administration,
Ezhilagam, Chennai 600 005.
7. The State Bank of India Staff Co-operative Housing
Society Ltd. No.X-444, 1st Line Beach, Chennai 600 001.

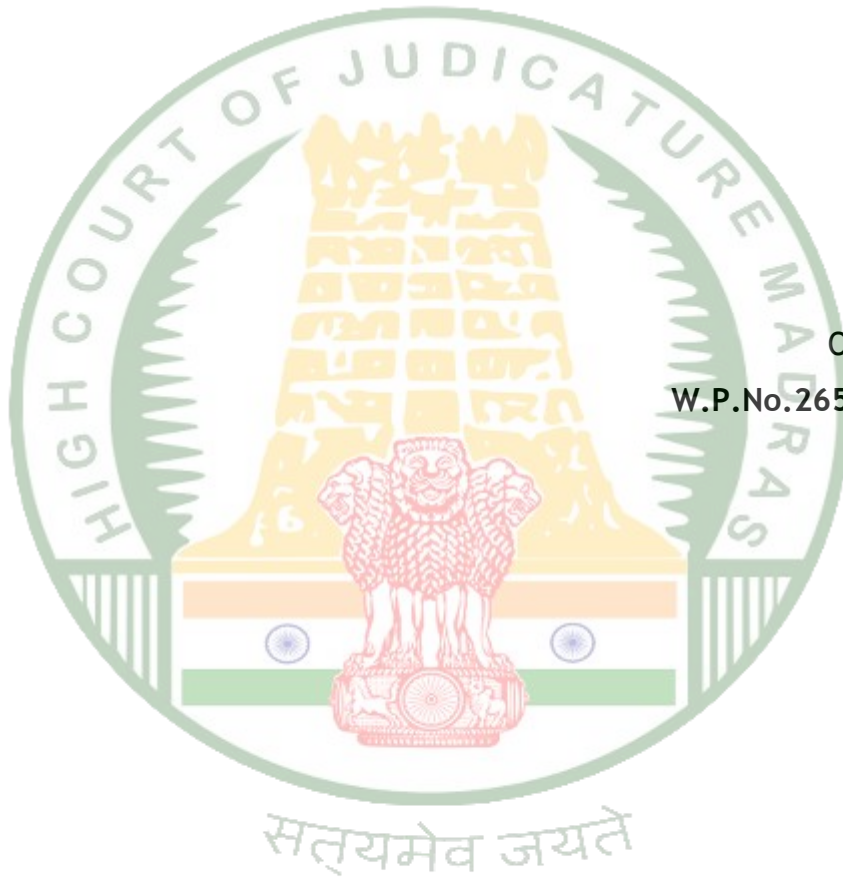


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S.VAIDYANATHAN,J.

(aeb)



Order in
W.P.No.26581 of 2017

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22.01.2018

W.P.No.26581 of 2017**S.VAIDYANATHAN, J.**

This matter is listed today under the caption '**For Being Mentioned**', at the instance of the Learned Counsel appearing for the 1st Respondent.

2. Mr.P.Srinivas, learned counsel appearing for the 1st Respondent submitted that in the order dated 22.01.2018 passed in W.P.No.26581 of 2017, he had appeared for the 1st Respondent/Pammal Municipality and Mrs.Rita Chandrasekar, learned counsel had appeared for the 4th Respondent. However, their names have not been reflected in the order dated 22.01.2018. He further submitted that though none represented the 7th Respondent on the said date, a Government Pleader's name is marked, as if he had appeared.

3. Taking note of the said submissions, this Court directs the Registry to print the name of Mr.P.Srinivas, learned counsel appearing for the 1st Respondent; Mr.S.Diwakar, learned Special Government Pleader appearing for Respondents 2, 5 and 6; Mr.M.Karthikeyan, learned counsel appearing for the 3rd Respondent and Mrs.Rita Chandrasekar, learned counsel appearing for the 4th Respondent in the order dated 04.01.2018 in W.P.No.22191 of 2017 and issue a fresh copy of the order to the parties. It is made clear that none appeared for the 7th Respondent at the time of hearing the matter and also when the order was pronounced.

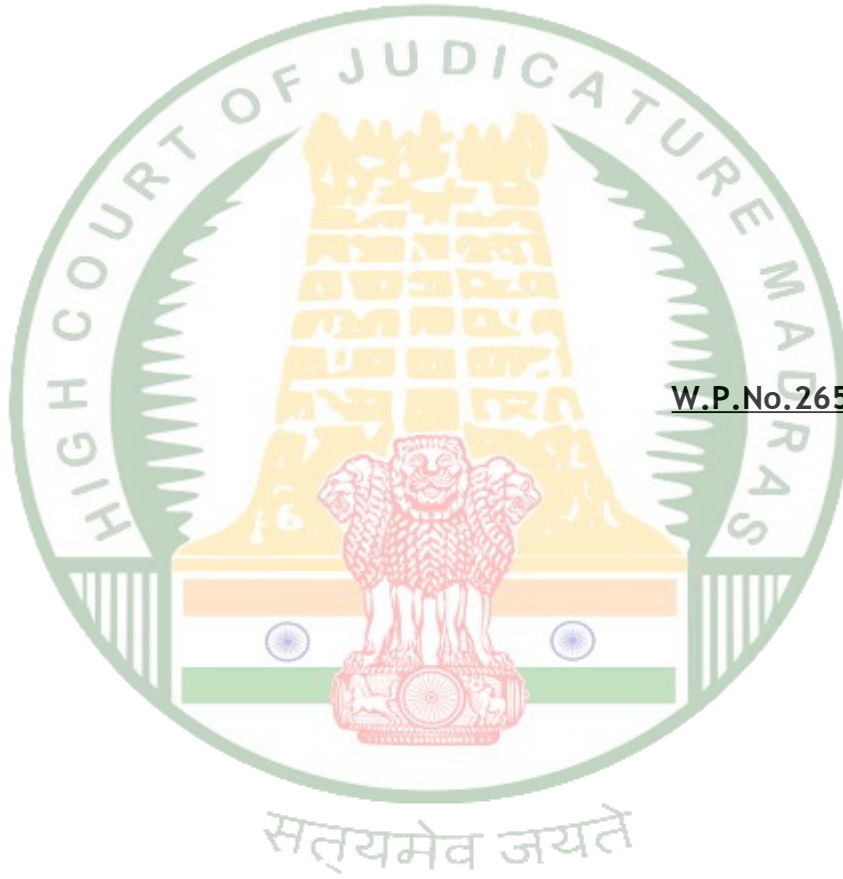
4. Except for the above modification, remaining portion of the order dated 04.01.2018 made in W.P.No.22191 of 2017 shall remain unaltered.

09.02.2018

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S.VAIDYANATHAN, J.

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W.P.No.26581 of 2017

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09.02.2018