

IN THE HIGH COURT OF JUDICATURE AT MADRAS  
DATED: 14.02.2018  
CORAM  
THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.25985 of 2016  
and  
W.M.P.No.22237 of 2016

Doshi Gardens Residential Flat  
Owners Association,  
Rep.by its Secretary  
Mr.S.V.Rangaraj,  
Doshi Gardens, Ground Floor, 'B' Block,  
174/321, Arcot Road,  
Vadapalani, Chennai - 600 026. ...Petitioner

Versus

- 1.The Commissioner,  
Greater Corporation of Chennai,  
Ripon Buildings, Chennai - 600 003.
- 2.The Assistant Executive Engineer,  
Corporation of Chennai,  
No.117, NSK Salai,  
Kodambakkam, Chennai - 600 024.
- 3.The Member Secretary,  
Chennai Metropolitan Development Authority,  
Egmore, Chennai - 600 008. ... Respondents

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the respondents to strictly follow the Annexure XX of the Reservation of land for Community Recreational purpose in cases of special building/group development/multi storied building developments for inhabitants of the Multi Storied Residential Complex of Doshi Garden, Vadapalani, Chennai - 600 026, without making provisions for access to the general public in the reserved area in terms of the Gift Deed in Document No.3003 of 1994, dated 16.5.1994 followed by Rectification Deed in Document No.1342 of 1995, dated 30.3.1995 both on the file of Sub Registrar Office, Virugambakkam, Chennai.

For Petitioner : Mr.K.Mohanamurali  
For Respondents : Mr.V.C.Selvasekaran  
Standing Counsel for R1 & R2  
Mr.P.Tamil Mani, for R3

O R D E R

Heard Mr.K.Mohanamurali, learned counsel appearing for the petitioner, Mr.V.C.Selvasekaran, learned Standing Counsel appearing for the respondents 1 and 2 and Mr.P.Tamil Mani, learned counsel appearing for the third respondent.

2. This writ petition has been filed seeking for a direction to the respondents to strictly follow the Annexure XX of the Reservation of land for Community Recreational purpose in cases of special building/group development/multi storied building developments for inhabitants of the Multi Storied Residential Complex of Doshi Garden, Vadapalani, Chennai - 600 026, without making provisions for access to the general public in the reserved area in terms of the Gift Deed in Document No.3003 of 1994, dated 16.5.1994 followed by Rectification Deed in Document No.1342 of 1995, dated 30.3.1995 both on the file of Sub Registrar Office, Virugambakkam, Chennai.

3. The learned Standing Counsel appearing for the respondents 1 and 2 submitted that the present writ petition has been filed, even without giving a representation to the respondents. He further submitted that if a representation is given, it will be considered by the respondents on merits and in accordance with law.

4. The learned counsel appearing for the petitioner submitted that the petitioner is ready to give a representation to the respondents.

5. In the light of the above submissions made by the learned counsels, this Court without going into the merits of the case, directs the petitioner to give a representation to the respondents by enclosing a copy of this order, within a period of two weeks from the date of receipt of a copy of this order. On such receipt, the respondents shall consider and pass appropriate orders on merits and in accordance with law, after providing an opportunity to all the necessary parties.

6. With the above direction, this writ petition stands disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-  
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

1.The Commissioner,  
Greater Corporation of Chennai,  
Ripon Buildings, Chennai - 600 003.

2.The Assistant Executive Engineer,  
Corporation of Chennai,  
No.117, NSK Salai,  
Kodambakkam, Chennai - 600 024.

3.The Member Secretary,  
Chennai Metropolitan Development Authority,  
Egmore, Chennai - 600 008.

+lcc to Mr.K.Mohanamurali, Advocate Sr.No.11224

PVS (CO)  
sm:26.2.2018

W.P.No.25985 of 2016



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