

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.01.2018

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

WP.No.27837 of 2013

and

M.P.No. 1 of 2013

1. S.Balasubramanian
Rep. by his duly constituted
Power of Attorney holder,
Mr.A.Manohar Prasad
Having office at
No.610, Anna Salai,
Chennai - 600 006.
 2. M/s Gemini Arts Pvt. Ltd,
Rep. by its Director,
Mr.A.Manohar Prasad
Having office at
No.610, Anna Salai,
Chennai - 600 006.
- ...Petitioners
- Vs.
1. State of Tamil Nadu
Represented by the Secretary to Government
Housing and Urban Development Department,
Secretariat, Fort St. George,
Chennai - 600 090.
 2. The Corporation of Chennai
Represented by its Commissioner,
Rippon Building,
No.1131, EVR Periyar Salai,
Park Town, Chennai -600 003.
 3. The Chennai Metropolitan Development Authority
Represented by its Member Secretary
No.8, Gandhi Irwin Road,
Egmore, Chennai - 600 008.
 4. The Zonal Officer
Corporation of Chennai,
Nungambakkam zone,
Chennai - 600 034.
- ...Respondents

PRAYER: Writ petitions filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the Second respondent to re-convey excess land of 823.60 sq. mts. to the First and Second petitioner gifted by them through Deeds of Gift dated 16.03.1987, 16.03.1987, 12.07.1990, 19.07.1990, 19.08.1994, 19.08.1994 and 18.01.1995, registered respectively as Document Nos.147 of 1987, 148 of 1987, 643 of 1990, 644 of 1990, 707 of 1994, 708 of 1994 and 48 of 1995 in the office of SRO, Thousand Lights.

For Petitioners: Mr.J.Ramakrishnan

For R1 : Mr.V.Shanmugasundar
Special Government Pleader

For R2 & R4 : Mr.R.Arunmozhi
Learned Standing Counsel

For R3 : Mr.N.Sampath
Learned Standing counsel

ORDER

The petitioners have come up before this Court by filing the present writ petition seeking direction to the Second respondent to re-convey excess land of 823.60 sq. mts. to the First and Second petitioner gifted by them through Deeds of Gift dated 16.03.1987, 16.03.1987, 12.07.1990, 19.07.1990, 19.08.1994, 19.08.1994 and 18.01.1995, registered respectively as Document Nos.147 of 1987, 148 of 1987, 643 of 1990, 644 of 1990, 707 of 1994, 708 of 1994 and 48 of 1995 in the office of SRO, Thousand Lights.

2. Heard Mr.J.Ramakrishnan, the learned counsel for the petitioner and Mr.V.Shanmugasundar, the learned Special Government Pleader for R1 and Mr.R.Arunmozhi, the learned Standing counsel for second and fourth respondent and Mr.N.Sampath, the learned standing counsel for the third respondent.

3.The learned Standing Counsel for the second respondent submitted that if a fresh representation is given by the petitioners, that would be considered in accordance with law.

4.In the light of above prayer sought for in the writ petition and the submissions of the learned Standing Counsel for the second respondent, the petitioners are permitted to give a fresh representations to the second respondent within a period of two weeks by enclosing a copy of this order. On such compliance, the second respondent shall consider and pass appropriate orders on merits and in accordance with law, after

providing opportunities to the necessary parties within a period of eight of weeks therefrom.

5. With the above directions, the writ petition is disposed of. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-

ASSISTANT REGISTRAR

/TRUE COPY/

SUB ASSISTANT REGISTRAR

To

1. State of Tamil Nadu
Represented by the Secretary to Government
Housing and Urban Development Department,
Secretariat, Fort St. George,
Chennai - 600 090.
2. The Corporation of Chennai
Represented by its Commissioner,
Rippon Building,
No.1131, EVR Periyar Salai,
Park Town, Chennai - 600 003.
3. The Chennai Metropolitan Development Authority
Represented by its Member Secretary
No.8, Gandhi Irwin Road,
Egmore, Chennai - 600 008.
4. The Zonal Officer
Corporation of Chennai,
Nungambakkam zone,
Chennai - 600 034.

+1 CC to M/S.J.Ramakrishnan Advocate SR.NO.1238
+1 CC to M/S.R.Arunmozhi Advocate SR.NO.1719
+1 CC to M/S.N.Sampath Advocate SR.NO.1197

WEB COPY

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KAN (CO)
VC (30/01/2018)