

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.07.2019

CORAM

THE HON'BLE Mr. JUSTICE M.DHANDAPANI, J.

W.P.No.5452 of 2010

M.P.No.1 of 2010

M/s.Capital One Housing and Infrastructure
Development Private Limited,
Rep.by its Managing Director,
K.R.Jagannathan,
No.4, Krishna Street,
T.Nagar, Chennai-600 017.

...Petitioner

Vs

1. Secretary to Government
Rural Development and Panchayat Raj Department,
Fort St.George,
Chennai-600 009.
2. The Director,
Town and Country Planning
807, Anna Salai,
Chennai-600 002.
3. The Assistant Director,
Town and Country Planning,
Chengelpet.
4. The District Collector,
Chengalpet District,
District Collectors Office,
Kancheepuram.
5. The President,
Aaththur Village Panchayat,
Aaththur Post,
Chengelpet Taluk.
6. Dhimmavaram Village Panchayat,
Rep.by its President,
Dhimmavaram,
Aaththur Post,
Chengelpet Taluk.

7.Shri.P.Sreeraman

8.E.Natarajan

9.P.Pandian

10.G.Shanthi

11.A.Kuppan

12.Mohana

13.Meena

14.S.Ponmalar

15. The Deputy Tahsildar(Head Quarters)
Chengelpet Taluk,
Chengelpet.

16. The Village Administrative Officer,
Aaththur 'B' Village,
Aaththur.

.... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus, forbearing the respondents or any person claiming through or on behalf of the respondents from in any way disturbing or interfering with the peaceful possession enjoyment and sale of plots or revoking the sanction of layout plan granted by the Director of Town and Country Planning vide Approval No.81 of 2007 in Na.Ka.No.3365/2007/LA2 dated 26.06.2007.

For Petitioner : M/s.J.Kannan

For Respondents: Mr.J.Ramesh, AGP
for RR1 to 4 and 15
Mr.K.Bhuvaneswari
Additional Government Pleader for R5.
Mr.M.Vidhyasagar for R6.
Mr.S.Siva Shanmugam for R16.
Mr.N.R.Gopalan -RR7 to R14

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This writ petition has been filed for issuance of a Writ of Mandamus, forbearing the respondents or any person claiming through or on behalf of the respondents from in any way disturbing or interfering with the peaceful possession enjoyment and sale of plots or revoking the sanction of layout plan granted by the Director of Town and Country Planning vide Approval No.81 of 2007 in Na.Ka.No.3365/2007/LA2 dated 26.06.2007.

2. Heard both sides and perused the materials available on record.

3. The respondents 6 and 7 have filed a separate counter affidavit, refuting the allegations made in the affidavit filed in support of the writ petition. The specific stand taken by the respondents 6 and 7 in the counter affidavit is that the survey number mentioned in the affidavit falls within Dhimmavaram Village and that the petitioner was never the original owner of the properties mentioned in the affidavit.

4. The writ petition is of the year 2010 and almost a decade is passed since the writ petition is filed. As on today, nothing survives for adjudication in the present writ petition.

5. Therefore, the writ petition is closed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

ssb

To

1. Secretary to Government
Rural Development and Panchayat Raj Department,
Fort St. George,
Chennai-600 009.

2. The Director,
Town and Country Planning
807, Anna Salai,
Chennai-600 002.

3. The Assistant Director,
Town and Country Planning,
Chengelpet.

4. The District Collector,
Chengalpet District,
District Collectors Office,
Kancheepuram.
5. The President,
Aaththur Village Panchayat,
Aaththur Post,
Chengelpet Taluk.
6. Dhimmavaram Village Panchayat,
Rep.by its President,
Dhimmavaram,
Aaththur Post,
Chengelpet Taluk.
7. The Deputy Tahsildar (Head Quarters)
Chengelpet Taluk,
Chengelpet.
8. The Village Administrative Officer,
Aaththur 'B' Village,
Aaththur.

+1cc to Mr.M.Vidhyasagar, Advocate Sr.60340
+1cc to Mr.S.Siva Shanmugam, Advocate Sr.59788
+1cc to the Government Pleader Sr.59721
+1cc to Mr.N.R.Anantha Rama Krishnan, Advocate Sr.59044

सत्यमेव जयते

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srg 15/10/2019

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