

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2020

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 1981 of 2020
and
W.M.P. No. 2318 of 2020

M/s. Mahbubani Residency Creations Private Ltd.,
Represented by its Managing Director,
N.V. Mahbubani,
Having registered office at
Sindur Sea Princess Penthouse,
Block No. 3, 5th Floor,
9, Coastal Road, Besant Nagar,
Chennai - 600 090. ... Petitioner

-vs-

1. The Chennai Metro Rail Limited,
Rep. by its Estate Officer/Deputy Collector,
CMRL Depot, Admin Building,
Poonamallee High Road,
Koyambedu - 600 107.
2. The Land Acquisition Officer and Revenue Division Officer,
Tondiarpet Revenue Division,
Chennai - 600 081. ... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the First Respondent from in any manner interfering with the peaceful possession of the Petitioner Company in the property morefully described in the schedule hereunder other than by following the due process of law.

Schedule of Property

All the piece and parcel of land together with superstructure thereon marked Blue in the sketch attached herewith being portion "B" of extent 9.1312 acres in old T.S. No. 34 and new T.S. No. 34/1 and 34/2 of Block No. 1, Sembium Village, Madras-11 bounded on the North by T.s. No. 33 and on the South by the Red marked portion "A" in T.S. No. 34/1 and 34/2 of Block No. 1, Sembium Village, Madras which has been purchased by Mr. K. Mathiagarar and his nominees and on the East by Madhavaram High Road and on the West by Burial Ground in Block No. 12, Sembium Village within the Sub-Registration

District of Smbium and Registration District of Madras North.

For Petitioner : Mr. T.V. Ramanugam, Senior Counsel for
M/s. R. Ramya

For Respondents: Mr. Jayesh B. Dolia,
Standing Counsel (for R1)

Mr. M. Elumalai,
Government Advocate (for R2)

O R D E R

Mr. Jayesh B. Dolia, Learned Standing Counsel takes notice for the First Respondent and Mr. M. Elumalai, Learned Government Advocate takes notice for the Second Respondent.

2. Learned Standing Counsel appearing for the First Respondent states that the draft Memorandum of Understanding handed over to the Petitioner by the First Respondent was only an offer to the Petitioner, if he was agreeable to accept those terms, and that there was no compulsion for him to accept the same. It is further informed that if the petitioner does not accept those terms, proceedings for acquisition would be taken in accordance with law and he has made an endorsement to that effect, which is recorded. Nothing remains for further consideration in this Writ Petition.

3. Accordingly, the Writ Petition is disposed. Consequently, the connected Miscellaneous Petition is closed. No costs.

Sd/-
Assistant Registrar (CS-IV)

//True copy// सत्यमेव जयते

Sub Assistant Registrar

vjt

To

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CMRL Depot, Admin Building,
Poonamallee High Road, Koyambedu - 600 107.

2. The Land Acquisition Officer and Revenue Division Officer,
Tondiarpet Revenue Division, Chennai - 600 081.

+lcc to Mrs.R. Ramya, Advocate SR.No.7007

W.P. No. 1981 of 2020

GMV (07/05/2020)



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