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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.10.2021

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WRIT PETITION NOS.12753 OF 2013,
25450 OF 2016 & 11331 OF 2017 & M.P.NO.2 OF 2013
AND
W.M.P.NOS.21775 OF 2016 & 12270 OF 2017

W.P.NO.12753 OF 2013:-

The Federation of Civic and Welfare
Associations of Pallavaram Municipality,
(Registration No.175 of 1986)
Pallavaram Nagara Kudiyirupor Nalavazhvu
Sangangalin Inaippu Maiyam,
Rep., by its Vice President,
Having its Office at No.66,
II Cross Street, AGS Colony,
Chrompet, Chennai - 600 044.

... Petitioner

.Vs.

1. The Government of India,
Rep., by Secretary to Government,
Department of Art,
Culture and Language,
Government of India,
New Delhi.
2. The Archaeological Survey of India,
Rep., by its Superintending Archaeologist,
Chennai Circle, Government of India,
Fort St. George,
Secretariat,
Chennai - 600 009.
3. The Chennai Metropolitan Development
Authority (CMDA),
Rep., by its Member Secretary,
'Thalamuthu Natarajan Maligai',
No.1, Gandhi Irwin Road,
Egmore, Chennai - 600 008.



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4. The Member Secretary and Commissioner,
Department of Archaeology and Competent Authority,
TN, Archaeological Survey of India,
Chennai and Trissur Circle,
Tamil Valarchi Vazhagam,
Halls Road, Egmore,
Chennai - 600 008.
5. The Commissioner,
Pallavaram Municipality,
Pallavaram,
Chennai - 600 043.
6. The Tamil Nadu Generation and Distribution
Corporation Ltd. (TANGEDCO),
Rep., by its Chairman,
800, Anna Salai,
Chennai - 2.
7. The Superintending Engineer,
TANGEDCO, CEDC/South,
110, KVSS Complex,
K.K.Nagar,
Chennai - 79.
8. The Executive Engineer (O&M),
TANGEDCO, 11-E, Shanmugam Road,
Tambaram, Chennai - 43.
9. The Assistant Engineer,
O&M/Pallavaram East,
CEDC/South, TANGEDCO,
Chennai - 43.

[RR6 to 9 - Impleaded vide order
dated 01.08.2013 in M.P.No.3 of 2013
in W.P.No.12753 of 2013]

10. The Union Carbide Kudiyiruppor Nalavazhvu Sangam,
119A, Union Carbide Colony,
Old Pallavaram,
Chennai - 600 117.

[R-10 - Impleaded as per order
dated 29.11.2016 made in W.M.P.No.35146
of 2016 in W.P.No.12753 of 2013]

... Respondents



PRAYER:-

Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus to call for the records relating to the proceedings of the 3rd respondent in Letter No.C1/H/5915/2010 dated 18.6.2010 and of the 2nd respondent in Letter No.33/SUR/2010/2652 dated 9.6.2010 in so far as it relates to Sl.No.7 of 2nd respondent's letter relating to Tambaram Taluk, Kanchipuram District of an extent of 21.77 acres in Survey No.63 and 36.15 acres in Survey No.56 of Pallavaram Village, Tambaram Taluk, Kancheepuram District, and quash the same and consequently, forbear the respondents herein, from in any manner, interfering with the right of the members of the petitioner's Associations from putting up any constructions and carrying out repairs, renovations or making modifications to their existing buildings or the facilities to the buildings located in and around the area covered under Survey Nos.56 and 63 of Pallavaram Village, Tambaram Taluk, Kancheepuram District.

For Petitioner : Ms.AL.Ganthimathi

For R1 : Mr.G.Karthikeyan
Assistant Solicitor General

For R2 : Mr.S.M.Deenadayalan

For R3 : Ms.Malarvizhi Udayakumar

For R5 : Mr.P.Srinivas
Standing Counsel

For RR6 to 9 : Mr.J.L.Venkatesh

For R10 : Ms.Rajeni Ramadass

W.P.NO.25450 OF 2016:-

R.M.Pavendan

... Petitioner

.Vs.

1. The Commissioner,
Pallavaram Municipality,
Pallavaram,
Chennai - 600 043.



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2. The Regional Director,
Archaeological Survey of India,
KSIMC Building,
Industrial Estate,
Rajaji Nagar,
Bangalore - 560 044.

3. The Principal Secretary and Commissioner,
Department of Archaeology,
Government of Tamil Nadu,
Tamil Valarchi Valaagham,
Halls Road, Egmore,
Chennai - 600 008.

... Respondents

PRAYER:-

Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the 1st respondent to grant plan approval for construction of residential house in bearing Plot No.48-B, in S.No.21/2, an extent of 1192 sq.ft. of Zamin Pallvaram Village, Tambaram Taluk, Kancheepuram District without insisting No Objection Certificate (NOC) from the respondents 2 and 3 based on application dated 03.04.2014.

For Petitioner	:	Mr.M.R.Jothimanian
For R1	:	Mr.P.Srinivas Standing Counsel
For R2	:	Mr.G.Karthikeyan Assistant Solicitor General
For R3	:	Mr.M.Venkateswaran Government Advocate

W.P.NO.11331 OF 2017 :-

1. The Ambedkar Veetu Urimaiyalarkal
Matrum Kudiyiruppor Pothu Nala Sangam,
Rep. by its Secretary,
Having Office at No.23,
Duraikkannu Salai,
Old Pallavaram,
Chennai - 600 117.



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2. The Veetu Orimaiyalarkal Sangam,
Gandhi Nagar,
Rep. by its Vice President,
Having Office at No.27, Malai Ora Street,
Gandhi Nagar, Old Pallavaram,
Chennai - 600 117.
3. The Dr.Ambedkar Nagar Pothu Nala Sangam,
Rep. by its Secretary,
Having its office at No.3,
Ettiappan Street,
Dr.Ambedkar Nagar,
Old Pallavaram,
Chennai - 600 117.
4. The Sarah Nagar Kudiyiruppor Nala Sangam,
Rep. by its Treasurer,
Having its Office at No.6,
Elango Street, Sarah Nagar,
Old Pallavaram,
Chennai - 600 117.
5. The Union Carbide Kudiyiruppor Nala Sangam,
Rep. by its President,
Having its Office at 125,
Union Carbide Colony,
Old Pallavaram,
Chennai - 600 117.
6. The Pallava Nagar Kudiyiruppor Nala Sangam,
Rep. by its President,
Having its Office at No.2,
Church Street, Pallava Nagar,
Old Pallavaram,
Chennai - 600 117.
7. The Murugesapuram Kuidiyiruppor Nala Sangam,
Rep. by its Vice President,
Having its Office at No.55,
Varadharajan Street,
Murugesapuram,
Old Pallavaram,
Chennai - 600 117.
8. The Perumal Nagar Kudiyiruppor Nala Sangam,
Rep. by its Secretary,
Having its Office at 3/121,
8th Cross Street, Perumal Nagar,
Old Pallavaram,
Chennai - 600 117.



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9. The Subham Nagar Makkal Nala Sangam,
Rep. by its President,
Having its Office at Sankara Salai
Subham Nagar Part-II,
Old Pallavaram,
Chennai - 117.

... Petitioners

.Vs.

1. The Director General
Archeological Survey of India,
Government of India,
Janpath Road,
New Delhi - 110 011.
2. The Regional Director,
Regional Directorate, Southern Region,
KSIMC Buildings, Rajaji Nagar,
Bangaluru - 560 010.
3. The Archeological Survey of India,
Chennai Circle, Government of India,
Rep. by its Superintending Archeologist,
Fort St. George, Secretariat,
Chennai - 600 009.
4. The District Collector
District of Kancheepuram.
5. The Revenue Divisional Officer,
Tambaram, Chennai.
6. The Tahsildar,
Pallavaram Taluk,
Pallavaram,
Chennai - 44.

... Respondents

PRAYER:-

Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus Directing the first respondent to pass orders on the representation dated 30.3.2017 of the petitioner by declaring the areas in S.No.56 and S.No.63 in Zamin Pallavaram as De-Protected sites on the basis of the Survey reports dated 11.7.2014 and 30.7.2014 of the third respondent within the time frame stipulated by this Court.



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For Petitioners : Ms.Rajeni Ramadass
For RR1 to 3 : Mr.G.Karthikeyan
Assistant Solicitor General
For RR4 to 6 : Mr.M.Venkateswaran
Government Advocate

COMMON ORDER

In view of the order dated 08.10.2021, passed in Contempt Petition Nos.2005 to 2008 of 2016, no further order is required in these writ petitions. Accordingly, the writ petitions are closed. No costs. Consequently connected MPs are closed.

Sd/-
Deputy Registrar (CS)

//True Copy//

Sub Assistant Registrar

abr

To

1. The Secretary to Government,
The Government of India,
Department of Art,
Culture and Language,
Government of India,
New Delhi.
2. The Superintending Archaeologist,
The Archaeological Survey of India,
Chennai Circle, Government of India,
Fort St. George, Secretariat,
Chennai - 600 009.
3. The Member Secretary,
The Chennai Metropolitan Development
Authority (CMDA),
'Thalamuthu Natarajan Maligai',
No.1, Gandhi Irwin Road,
Egmore, Chennai - 600 008.



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Tamil Valarchi Vazhagam,
Halls Road, Egmore,
Chennai - 600 008.
5. The Commissioner,
Pallavaram Municipality,
Pallavaram,
Chennai - 600 043.
6. The Chairman,
The Tamil Nadu Generation and Distribution
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Janpath Road,
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14. The District Collector,
District of Kancheepuram.

15. The Revenue Divisional Officer,
Tambaram, Chennai.

16. The Tahsildar,
Pallavaram Taluk,
Pallavaram,
Chennai - 44.

WRIT PETITION NOS.12753 OF 2013,
25450 OF 2016 & 11331 OF 2017

KSM(CO)
PBS/10/11/2021