

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Friday, the Twelfth day of March Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice B.PUGALENDHI

WMP No.21750 of 2020

IN WP.NO.9658 OF 2020

1 THE COMMISSIONER,
CORPORATION OF CHENNAI,
GREATER CHENNAI,
RIPPON BUILDING,
CHENNAI- 600 003. [PETITIONERS]

2 THE SUPERINTENDING ENGINEER,
BUS ROUTE ROADS,
GREATER CHENNAI RIPPON BUILDING,
CHENNAI- 600 003.

Vs

M/S.C.S.I.EMMANUEL CHURCH [RESPONDENT]
REP.BY ITS PASTOR,
REV.DR.V.JOHN SELVARAJ,
OLD NO.35 1ST LANE CHURCH STREET,
THANGAM COLONY, 6TH AVENUE ,
ANNA NAGAR, CHENNAI- 600 040.

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to vacate the interim order dated 27.07.2020 passed by this Honourable Court in WP.NO.9658 of 2020 (in WMP.No.21750/2020) pending disposal of the above Writ Petition 9658/2020.

Order : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MRS.KARTHIKAA ASHOK, Advocate for the petitioner and of MR.S.ILAMVALUDHI Advocate for the respondent the court made the following order:-

The petitioner land has been taken for the Housing Board and an alternative land has been allotted to the petitioner Church in the year 2012 at a nominal cost of Rs.63,72,000/-. The petitioner Church, which agreed for the same has not taken any steps either to pay the amount or to challenge the allotment order and as on date, the demand which has been made by the Housing Board is the amount, which has been prescribed in the year 2012 together with interest from the year 2012 to 2018. It comes around Rs.1,18,83,500/- from 01.09.2012 to 30.11.2018. By referring the same, the petitioner has obtained an order of stay for the laying of road in front of his Church.

2. If the petitioner Church is having any grievance with regard to the demand made by the Housing Board, it is always open to the petitioner to challenge the same in the manner known to law. So far as the road work in front of the petitioner Church is concerned, it was already handed over to the Corporation and the Corporation is expanding the road and laying a pucca road. For the dispute between the petitioner Church with the Housing Board, the road work in front of the petitioner Church cannot be stalled ever.

3. Accordingly, this writ miscellaneous petition is filed by the Corporation is ordered, the interim order already granted is vacated.

Post this matter after four weeks enabling the newly impleaded respondent to file his counter affidavit.

-sd/-

12/03/2021

/ TRUE COPY /

Sub Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE COMMISSIONER
CORPORATION OF CHENNAI,
GREATER CHENNAI,
RIPPON BUILDING,
CHENNAI- 600 003.

2 THE SUPERINTENDING ENGINEER,
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CHENNAI- 600 003.

C.C. to S.ILAMVALUDHI Advocate SR.NO.1739

Order

in
WMP.21750/2020

in WP.No.9658/2020

Date :12/03/2021

From 26.2.2001 the Registry is issuing certified
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SDR 18/03/2021



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