



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

THURSDAY, THE 20th DAY OF JANUARY 2022

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

C.S. No.9 of 2019

and

A.Nos.128 and 129 of 2019

M/s.Evangelical Church of India,
Administrative Office,
No.1, 2nd Street, Ormes Road,
Kilpauk, Chennai – 600 010.
Represented by its General Secretary,
Rev.Sundara Raj Johnson

...Applicant/Plaintiff

Vs

1.Chennai Metropolitan Water Supply and
Sewerage Board,
No.1, Pumping Station Road,
Chindadripet, Chennai – 2,
Represented by its Executive Engineer,
Regional Office-1.

2.The Tamil Nadu Slum Clearance Board,
No.5, Kamarajar Salai,
Chepakkam, Chennai – 5.
Represented by its Chairman.

...Respondents/Defendants

Civil Suit praying that this Hon'ble Court be pleased to pass a

Judgment and decree:-

(i) Permanent Injunction Restraining the 1st Defendant, its men

agents and all persons, claiming under them from in any manner

disturbing the plaintiff's peaceful possession and enjoyment of the suit



property except due process of law.

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(ii) Mandatory injunction directing the 2nd Defendant to ascertain the value to be paid for the suit land on the basis of guideline value or any reasonable value, to enable the Plaintiff to pay the same and obtain Sale Deed in respect of the suit land.

(iii) To pay the cost of the suit.

A.Nos. 128 of 2019:-

Application praying that this Hon'ble Court be pleased to permit the applicant/plaintiff to amend the existing suit schedule.

All that land and building Gandhi Nagar Scheme, New Avadi Road, Block B, Ayanavaram, Purasawalkam – Perumbur Taluk measuring 1659 Sq.ft. with the following suit schedule:

"All that land and Church building known as "ECI Church" (Evangelical Church of India) having Door/bunk No.28, Gandhi Nagar, New Avadi Road, Chennai - 600 038, Comprised in part of Survey No.T.S.No.4/1 (Part), Ayanavaram – 2 Village, Block No.8, Ayanavaram Taluk, Chennai District, measuring an extent of about 1659 Sq.Ft., bounded on the North by: land in T.S.No.4/2, South by: Vacant Land (Passage) and New Avadi Road, East by: land in S.No.4/1, West by: TNSCB Flat and Vacant land in S.No.4/1"

**A.No.129 of 2019:-**

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Application praying that this Hon'ble Court be pleased to permit the applicant/plaintiff to amend the existing suit schedule.

All that land and building Gandhi Nagar Scheme, New Avadi Road, Block B, Ayanavaram, Purasawalkam – Perumbur Taluk measuring 1659 Sq.ft. with the following suit schedule:

"All that land and Church building known as "ECI Church" (Evangelical Church of India) having Door/bunk No.28, Gandhi Nagar, New Avadi Road, Chennai - 600 038, Comprised in part of Survey No.T.S.No.4/1 (Part), Ayanavaram – 2 Village, Block No.8, Ayanavaram Taluk, Chennai District, measuring an extent of about 1659 Sq.Ft., bounded on the North by: land in T.S.No.4/2, South by: Vacant Land (Passage) and New Avadi Road, East by: land in S.No.4/1, West by: TNSCB Flat and Vacant land in S.No.4/1".

This Suit along with the applications coming on this day before this court for hearing in the presence of Mr.A.M.Packianathan Easter, Advocate for the Plaintiff in C.S.No.9 of 2019 and for the applicant in A.Nos.128 and 129 of 2019, and Mr.G.Janakiraman, Advocate for the 1st defendant in C.S.No.9 of 2019 and for the 1st respondent in A.Nos.128 and 129 of 2019 and Mr.S.Prabhu, Advocate for the



A.Nos.128 and 129 of 2019, and upon reading the plaint filed herein, and the order dated 08.03.2019 made in O.A.No.3 of 2019 and A.Nos.128 and 129 of 2019 in C.S.No.9 of 2019, and the learned counsel for the plaintiff herein seeks permission of this court to withdraw this suit and this court doth recording the said statement, **it is ordered as follows:**

That the suit in C.S.No.9 of 2019 be and is hereby dismissed as withdrawn.

2. That the A.Nos.128 and 129 of 2019 do stand closed.
3. That there shall be no costs of this suit.

WITNESS THE HON'BLE MR.JUSTICE MUNISHWAR NATH BHANDARI, ACTING CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE 20th DAY OF JANUARY 2022.

Sd/-
ASSISTANT REGISTRAR (O.S.I)

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

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21.02.2022

C.S. No.9 of 2019
and
A.Nos.128 and 129 of 2019

ORDER

DATED : 20.01.2022

THE HON'BLE MR.JUSTICE
ABDUL QUDDHOSE

FOR APPROVAL: 22.02.2022

APPROVED ON: 25.02.2022



WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.01.2022

CORAM

THE HONOURABLE Mr.JUSTICE ABDUL QUDDHOSE

C.S.No.9 of 2019
and A.Nos.128 and 129 of 2019

M/s.Evangelical Church of India,
Administrative Office,
No.1, 2nd Street, Ormes Road,
Kilpauk, Chennai – 600 010.
Represented by its General Secretary,
Rev.Sundara Raj Johnson ... Plaintiff

Vs

1.Chennai Metropolitan Water Supply and
Sewerage Board,
No.1, Pumping Station Board,
Chindadripet, Chennai – 2,
Represented by its Executive Engineer,
Regional Office-1.

2.The Tamil Nadu Slum Clearance Board,
No.5, Kamarajar Salai,
Chepakkam, Chennai – 5.
Represented by its Chairman. ...Defendants

Plaint under Order IV Rule 1 of Original Side read with Order VII
Rule 1 CPC Rules praying to pass a judgment and decree against the
defendants.

(a) Permanent Injunction restraining the 1st Defendant, its men agents
and all persons, claiming under them from in any manner disturbing the



Plaintiff's peaceful possession and enjoyment of the suit property except due process of law;

b) Mandatory injunction directing the 2nd Defendant to ascertain the value to be paid for the suit land on the basis of guideline value or any reasonable value, to enable the Plaintiff to pay the same and obtain Sale Deed in respect of the suit land.

For Plaintiff	: Mr.A.M.Packianathan Easter
For D2	: Mr.S.Prabhu
For D1	: Mr.G.Janakiraman

JUDGMENT

Mr.A.M.Packianathan Easter, learned counsel for the plaintiff, seeks permission of this Court to withdraw this suit. The said statement is recorded.

2. Accordingly, this suit is dismissed as withdrawn. No costs. Consequently, connected applications are closed.

Sd./-A.Q.J.
20.01.2022

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

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