



Rev.Appln (W) No.6 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.03.2023

CORAM :

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Review Application (Writ) No.6 of 2023

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.. Petitioner

Vs

1. The Principal Secretary/Commissioner
Greater Chennai Corporation
Rippon Buildings, Chennai – 600 003.

2. The Regional Deputy Commissioner (North)
Greater Chennai Corporation
Basin Bridge Road, Chennai – 600 003.

3. The Assistant Engineer
Greater Chennai Corporation
Old Division No.27, New Division No.60
Old Zone No.II, New Zone No.V
Maraikayar Lalbal Street
Chennai – 600 001.

.. Respondents

Prayer : Review Application filed against the order dated 5.12.2022
passed in W.P.No.32756 of 2022.



Rev.Appln (W) No.6 of 2023

For the Petitioner : Mr.N.Muralikumaran
Senior Counsel
for Mr.S.Arumugam

For the Respondents : Mr.Arun Babu
Standing Counsel

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

The writ petitioner has come up with this review application seeking review of the order dated 5.12.2022 passed in W.P.No.32756 of 2022.

2. Mr.N.Muralikumaran, learned Senior Counsel appearing on behalf of the petitioner, would submit that as per the report dated 26.10.2022 of the Principal Secretary/Commissioner, the Chennai Urdu School is situated in the land comprised in Block No.32, R.S.No.3584/1, Purasawalkam Taluk, VOC Nagar Village, which belongs to the Greater Chennai Corporation, and the documents produced by the petitioner belong to the land



Rev.Appln (W) No.6 of 2023

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comprised in Block No.32, R.S.No.3641, Mutiyalpet Village, Tondiarpet Taluk, which is situated 50 metres away from the land in dispute and, therefore, the respondents cannot claim any right over the property owned by the petitioner. While it was argued that the petitioner is not in possession of the Corporation land in R.S.No.3584/1, it was not brought to the notice of this court that the petitioner disputes the identity and contends that Chennai Urdu School actually lies only in R.S.No.3641. He, therefore, submitted that liberty may be granted to the petitioner to work out her remedy before the civil court.

3. Mr.Arun Babu, learned Standing Counsel appearing on behalf of the respondents, would submit that the land in Block No.32, R.S.No.3584/1 alone has been taken possession by the government and the said land is under lock and seal. He further submitted that it is always open to the petitioner to work out her rights before the civil court in respect to the property situate in Block No.32, R.S.No.3641.



Rev.Appln (W) No.6 of 2023

WEB COPY

4. After hearing learned counsel on either side, we find that while there is no dispute as to the title that R.S.No.3584/1 belongs to the Corporation of Chennai and that R.S.No.3641 belongs to the petitioner, the dispute is as to the survey number in which the building that is locked and sealed is physically located. Therefore, this review application is disposed of by granting liberty to the petitioner to workout her remedy before the competent civil court. The petitioner is granted two weeks time to approach the civil court. There will be no order as to costs.

(T.R., ACJ.) (D.B.C., J.)
17.03.2023

Index : No
Neutral Citation : No

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Rev.Appln (W) No.6 of 2023

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Rev.Appln (W) No.6 of 2023

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