



W.P.No.17169 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.06.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

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

W.P.No.17169 of 2017

K.Harirajan

.. Petitioner

Vs

- 1.The Secretary to Government of Tamilnadu,
Housing and Urban Development Department,
Fort St. George,
Chennai-600 009.
- 2.The Registrar of Cooperative Societies (Housing),
Tamilnadu Cooperative Housing Federation Complex,
48, Ritherton Road,
Vepery, Chennai-600 007.
- 3.The Member Secretary,
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Building,
No.1, Ground Floor, Gandhi Irwin Road,
Egmore, Chennai-600 008.
- 4.The Commissioner,
Corporation of Chennai,
Ripon Buildings,
Poonamallee High Road,
Chennai.



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- 5.The Director,
Office of the Director of Town and Country Planning,
Opposite to LIC, Chengalvarayan Building,
Fourth Floor, 807, Anna Salai,
Chennai-600 002.
- 6.The Deputy Registrar (Housing),
Chennai Region,
18, Ramanathan Street,
T.Nagar, Chennai-600 017.
- 7.The President,
City Cooperative Housing Society, Adyar, Chennai X422,
No.13, Sastri Nagar Shopping Complex,
Adyar, Chennai-600 020.
- 8.Adyar Venkatarathnam Nagar Residents
Welfare Association,
rep. by its Secretary, Reg. No.253/89,
No.79, Venkatarathnam Nagar,
Chennai-600 020. .. Respondents

(Respondent No.8 impleaded as per the order
dt. 17.7.2017 passed in the writ petition)

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents 1 to 6 to take appropriate action against the 7th respondent for alienating property viz., Plots Nos.1C, 2E and 6E comprised in Old Survey No.18/3, New Survey No.38/1 of Pallipattu Village.



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For the Petitioner : Mr.J.Pothiraj

For the Respondents : Mr.P.Muthukumar
State Government Pleader
assisted by
Mr.U.Bharanidharan
Addl. Government Pleader
for respondents 1, 2, 5 & 6

: Mr.C.N.Vinoba
for respondent No.3

: Mrs.K.Aswini Devi
for respondent No.4

: Mr.S.P.Sudalaiyandi
for respondent No.7

ORDER

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

We have heard Mr.J.Pothiraj, learned counsel for the petitioner; Mr.P.Muthukumar, learned State Government Pleader, assisted by Mr.U.Bharanidharan, learned Additional Government Pleader for respondents 1, 2, 5 and 6; Mr.C.N.Vinoba, learned counsel for the third respondent; Mrs.K.Aswini Devi, learned counsel for the fourth respondent and, Mr.S.P.Sudalaiyandi, learned counsel for the seventh respondent.



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2. The prayer in the writ petition is not to alienate the property meant for public purpose i.e. Plot Nos.1C, 2E and 6E comprised in Old Survey No.18/3, New Survey No.38/1 of Pallipattu Village.

3. It has been brought to our notice that there was another litigation pending with regard to the same property, which came before a Division Bench of this Court in W.A.Nos.786, 1556 and 1557 of 2017 [*Adyar Venkatrathnam Nagar Residents Welfare Association, rep. by its Secretary M.Anand v. The Secretary to Government, Tamilnadu Cooperative Societies Department, Fort St. George, Chennai-600 009 and others*]. This Court, on 13.12.2017, disposed of the said writ appeals by making certain observations.

4. It is submitted that review application has been filed by the 8th respondent association.

5. As the matter in issue is governed by the judgment of the



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Co-ordinate Bench of this Court in the writ appeals referred to above, no separate orders are required to be passed in the present writ petition.

6. In the light of that, the writ petition stands disposed of. There will be no order as to costs. Consequently, W.M.P.No.18653 of 2017 is closed.

(S.V.G., CJ.)

(P.D.A., J.)

21.06.2023

Index : Yes/No
Neutral Citation : Yes/No
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