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W.P. No.5367 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2024

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.5367 of 2024 and

W.M.P.No.5910 of 2024

Rangoli Sarees Limited

Represented by its Manager

and Authorised Signatory

Dilip Kumar Khanna

No.28, Nungambakkam High Road

Nungambakkam, Chennai - 600 034

... Petitioner

Vs.

1. Chennai Metro Rail

By its Chief General Manager

No.327, Anna Salai, Nandanam

Chennai - 600 035

2. The Secretary to Government

Planning, Development and

Special Initiatives Department

Government of Tamil Nadu

Fort St. George, Chennai - 600 009

3. The Special District Revenue Office, (LA),

Chennai Metro Rail Ltd.,

No.327, Anna Salai, Nandanam, Chennai - 600 035



W.P. No.5367 of 2024

4. Yash Mittal

5. Harsh Mittal

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 1st to 3rd respondents to consider the representation sent through the petitioner dated 12.02.2024 and pass orders on the same seeking Compensation for the undivided share of land and the Superstructure in the ground floor, owned by the petitioner comprised in Survey No.117/16, Block No.20 (Old Door No.28), Corporation Division No.108, Zone VII, Uthamar Gandhi Salai (Previously Nungambakkam High Road), Egmore Nungambakkam Taluk, measuring about 485 Sq.ft. of Undivided Share of land out of total extent of 4332 Sq.Ft. along with the building therein consisting of Ground Floor measuring about 2317 Sq.Ft. with all connected amenities and privileges in a common as a Person Interested /affected.

For Petitioner : Mr.B.Divakaran

For R1 : Mrs.Rita Chandrasekar
Standing Counsel for CMRL

For R2 and R3 : Mr.A.Selvendran
Special Government Pleader

ORDER

This Writ Petition is filed seeking to issue a Writ of Mandamus directing the 1st to 3rd respondents to consider the representation sent through the petitioner dated 12.02.2024 and pass orders on the same seeking Compensation for the undivided share of land and the



W.P. No.5367 of 2024

Superstructure in the ground floor, owned by the petitioner comprised in

WEB COPY

Survey No.117/16, Block No.20 (Old Door No.28), Corporation Division

No.108, Zone VII, Uthamar Gandhi Salai (Previously Nungambakkam

High Road), Egmore Nungambakkam Taluk, measuring about 485 Sq.ft.

of Undivided Share of land out of total extent of 4332 Sq.Ft. along with

the building therein consisting of Ground Floor measuring about 2317

Sq.Ft. with all connected amenities and privileges in a common as a

Person Interested/affected.

2. The learned counsel for the petitioner submitted the said property was acquired for the purpose of Metro Rail. The petitioner has also right in the said property as a undivided share holder. However, no opportunity was given to the petitioner. Though the petitioner gave a representation, the same was not considered. Hence, the present Writ Petition is filed.

3. Mrs.Rita Chandrasekar, learned Standing Counsel who takes notice for the 1st respondent/CMRI submitted that summons were issued to the land owners including the petitioner. Despite he was informed to



W.P. No.5367 of 2024

produce the title documents, the petitioner did not appear before the competent authority and therefore, a suitable directions may be issued.

4. Mr. A.Selvendran, learned Special Government Pleader takes notice for the respondents 2 and 3. Since no adverse order is being passed against the respondents 4 and 5, notice to the respondents 4 and 5 is dispensed with.

5. Admittedly, the said property was acquired by the CMRL for the purpose of Metro Rail. Though the petitioner stated that his representation was not considered, the learned Standing Counsel appearing for the CMRL submitted that summon was already issued to the petitioner to produce the title documents and the same is not denied by the learned counsel for the petitioner. Under these circumstances, it is for the petitioner to approach the competent authority with required documents.

6. The official respondents are directed to consider the petitioner's representation dated 12.02.2024 and pass orders on merits and in accordance with law if the petitioner approaches the concerned authority



W.P. No.5367 of 2024

and produce the required documents.

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7. With the above directions, this Writ Petition is disposed of at the admission stage itself. Consequently, connected Miscellaneous Petition is closed. There shall be no order as to costs.

04.03.2024

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Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No



W.P. No.5367 of 2024

To

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WEB COPY



W.P. No.5367 of 2024

P.VELMURUGAN. J.

Ksa-2

W.P. No.5367 of 2024

04.03.2024