



WP No.16015 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.08.2024

CORAM:

THE HON'BLE MR.D. KRISHNAKUMAR, ACTING CHIEF JUSTICE
AND

THE HONOURABLE MR.JUSTICE P.B. BALAJI

WP Nos.16015 of 2023

A.Mani

... Petitioner

versus

- 1.The District Collector,
Chennai District,
Chennai -600 001.
- 2.The Tahsildhar,
Maduravayol Taluk,
Maduravayol,
Chennai District.
- 3.The Commissioner,
Greater Chennai of Corporation,
Rippon Building,
Chennai-600 003.
- 4.The Executive Engineer,
Zone-XI,
Greater Corporation of Chennai,
Valasaravakkam,
Chennai-600 087.

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5.The Assistant Executive Engineer ,
Division No.143, Ward No.32,
Zone-XI, Greater Corporation of Chennai,
Mogapair,
Chennai-37.

6.N.Narayanamurthy

7.Mrs.D.Anusha

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for the issuance of a writ of Mandamus, forbearing the respondents 1 to 5 from assigning the Public Park Land measuring 0-20 Cents in S.No.170/4 of Nolambur Village, Maduravayal Taluk, Chennai District which is situate at Division No.143, Ward No.32, Zone No.XI of Greater Corporation of Chennai in favour of the respondents 6 & 7 or their agencies of representatives by considering the petitioner's representation dated 25.01.2023 and pass orders..

For the Petitioner

:Mr.A.Ilayaperumal

For the Respondents

:Mr.Karthik Jagannath
Government Advocate
for respondents 1 and 2
Mr.DBR. Prabhu
Standing Counsel
for respondents 3 to 5
Mr.R.Bharathkumar
for respondents 6 and 7



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ORDER

(Made by the Hon'ble Acting Chief Justice)

This Writ Petition is filed, forbearing the respondents 1 to 5 from assigning the Public Park Land measuring 0-20 Cents in S.No.170/4 of Nolambur Village, Maduravayal Taluk, Chennai District which is situate at Division No.143, Ward No.32, Zone No.XI of Greater Corporation of Chennai in favour of the respondents 6 & 7 or their agencies of representatives by considering the petitioner's representation dated 25.01.2023.

2. A counter affidavit has been filed by respondents 6 and 7, wherein it is stated as follows:

"I state that the 6th respondent herein has appointed me as his power agent to deal with the lands admeasuring about 4.32 1/2 Acres comprised in Survey Nos.169/2A part, 170/1Apart, 170/2A, 170/3A part and 170/4part of Nolambur village, Maduravayal Taluk, Chennai District vide General Power of Attorney Deed dated 02.02.2017 registered as Document No.400/2017 on the file of SRO, Konnur. On the basis of the said Power of Attorney, I have made



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application before the Greater Chennai Corporation to get approval vide Letter LR.No.SD/WDCN/11/00100/2017 dated 04.01.2022. The said project has also been registered before Tamil Nadu Real Estate Regulatory Authority (TNRERA) vide No.TN/29/layout/1761/2022 dated 04.04.2022 under the name of "AURA NANDA NANDANA". The Gift deed also has been executed in favour of Chennai Corporation in respect of the area earmarked as road and parks formed in the layout for the public purposes under the Gift Deed dated 21.02.2018 registered as Document No.421/2018 on the file of SRO, Konnur. I state that I and the 6th respondent herein have never claimed any ownership and possession of the land ear-marked as OSR and Road in the layout after execution of the Gift Deed."

3. In view of the above statement made in the counter affidavit, the learned counsel for the petitioner may not have any dispute as the prayer sought for by the petitioner was for not to alienate the property in question.

4. In view of the undertaking given by the respondents 6 and 7 in the counter affidavit, no further order to be passed in the present writ petition.



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5. Recording the aforesaid statement made in the counter affidavit,
the writ petition stands disposed of. There shall be no order as to costs.

Consequently, WMP No.15455 of 2023 is closed.

(D.K.K., ACJ.) (P.B.B., J.)
06.08.2024

Index : Yes/No
Neutral Citation : Yes/No
mrn

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THE HON'BLE ACTING CHIEF JUSTICE

and

P.B. BALAJI, J.

(mrn)

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