



WEB COPY



W.P.No.16231 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.03.2024

CORAM :

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

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

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M/s.Aruna Constructions (India) Ltd.,
Rep. its Director, M.P.Purushothaman,
No.693, Anna Salai, Chennai - 600 006.
Presently at Empee Towers,
No.59, Harris Road, Pudupet,
Chennai - 600 002.

.. Petitioner

Vs

1. Government of Tamil Nadu
Rep. by its Additional Secretary,
Revenue and Disaster Management Department,
Land Disposal Wing, LD -1 (1) Section,
Secretariat, Fort St. George, Chennai - 600 009.
2. CHENNAI METRO RAIL LIMITED,
Rep. by its Managing Director,
METROS No.327, Anna Salai,
Nandanam, Chennai- 600 035.
(R2 IMPEADED VIDE ORDER DT 13.06.2023
MADE IN WMP.16720/2023)
3. THE CANTONMENT BOARD,
Rep. by the Chief Executive Officer,
St. Thomas Mount, Chennai - 600016.
(R3 IMPEADED VIDE ORDER DT 10.07.2023)



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4. GOVERNMENT OF INDIA,
MINISTRY OF DEFENCE,
DEFENCE ESTATES OFFICE,
MADRAS CIRCLE,
306, ANNA SALAI, TEYNAMPET,
CHENNAI - 600 018.
(R4-IMPLEADED VIDE ORDER DATED 11.01.2024)

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorarified mandamus calling for the records of the respondent Letter No.37775/LD1(1)/2013-1, dated 28/04/2023 passed by the respondent and quash the same and consequently direct the respondent to assign the land situated in S.No.421 of St. Thomas Mount Village, Alandur Taluk, Kancheepuram District an extent of 4 acres and 22059 sq. ft. to the petitioner by collecting the price fixed by the respondent.

For the Petitioner	: Mr.V.Prakash Senior Counsel for Ms.M.Sneha
For the Respondents	: Mr.Raman Laal Additional Advocate General assisted by Mr.K.Karthik Jegannath Government Advocate for 1 st respondent
	: Mr.P.S.Raman Senior Counsel for Ms.Rita Chandrasekar for 2 nd respondent



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: Mr.C.Mohan
and Ms.A.Rexy Josephine Mary
for M/s.King and Partridge
for 3rd respondent

: Mr.A.R.Sakthivel
Senior Panel Counsel
for 4th respondent

ORDER

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

Heard Mr.V.Prakash, learned Senior Counsel appearing on behalf of Ms.M.Sneha, learned counsel for the petitioner; Mr.Raman Laal, learned Additional Advocate General, assisted by Mr.K.Karthik Jegannath, learned Government Advocate for the first respondent; Mr.P.S.Raman, learned Senior Counsel appearing on behalf of Ms.Rita Chandrasekar, learned counsel for the second respondent; Mr.C.Mohan and Ms.A.Rexy Josephine Mary, learned counsel appearing on behalf of M/s.King and Partridge for the third respondent; and Mr.A.R.Sakthivel, learned Senior Panel Counsel for the fourth respondent.

2. Learned Senior Counsel for the petitioner submits that the



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prayer in the writ petition is to assign the subject writ land. Assuming the land to be an inam land, under misconception, the petitioner was prosecuting the proceedings for assignment of land.

3. Learned Senior Counsel submits that now affidavits have been filed on record stating the land is classified as "B-2" land under the management of the State Government. In view of that the question of assignment as prayed for by the writ petitioner would not arise.

4. The affidavit of the third respondent suggests that the land is classified as B-2 land, which is actually occupied or used by or is under the control of any department of the State Government.

5. Learned Senior Counsel for the petitioner submits that the petitioner may be given liberty to work out its remedies elsewhere.

6. The relief as prayed now cannot be granted, as accepted by learned Senior Counsel for the petitioner.



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7. If the petitioner has any other remedy available with regard to the B-2 land, it is for the petitioner to avail the same as may be permissible under law.

The writ petition is disposed of accordingly. There shall be no order as to costs. Consequently, W.M.P.Nos.15625 and 15628 of 2023 are closed.

(S.V.G., CJ.)

(D.B.C., J.)

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Index : Yes/No
Neutral Citation : Yes/No
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To

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1. The Additional Secretary,
Government of Tamil Nadu
Revenue and Disaster Management Department,
Land Disposal Wing, LD -1 (1) Section,
Secretariat, Fort St. George, Chennai - 600 009.
2. The Managing Director,
CHENNAI METRO RAIL LIMITED,
METROS No.327, Anna Salai,
Nandanam, Chennai- 600 035.
3. THE Chief Executive Officer,
CANTONMENT BOARD,
St. Thomas Mount, Chennai - 600016.
4. GOVERNMENT OF INDIA,
MINISTRY OF DEFENCE,
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THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY,J.

(sasi)

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