



WEB COPY



W.P.No.19894 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.10.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.19894 of 2021
and W.M.P.No.21143 of 2021

M/s. DMC Automotive Private Limited,
Othappai Village,
Uthukottai Taluk,
Tiruvallur District – 602 023
Rep. by its authorised signatory
Narendra Babu

...Petitioner

-Vs-

1. The District Collector,
Thiruvallur District,
Thiruvallur.
2. The Block Development Officer,
Panchayat Union,
Uthukkottai Taluk,
Thiruvallur District.
3. The President,
Othappai Village,
Uthukkottai Taluk,
Thiruvallur District.
4. DR Axion India Private Limited,
Rep. by its Managing Director,
No.7, Othappai,
Uthukottai Taluk,
Thiruvallur District.



W.P.No.19894 of 2021

5. M/s.GH India Auto Parts Private Limited,
Rep. by its Managing Director,
No.7, Othappai,
Uthukottai Taluk,
Thiruvallur District.

6. Jangone Foam Products India Pvt. Ltd.,
Rep. by its Managing Director,
No.19, Othappai,
Uthukottai Taluk,
Thiruvallur District.

7. M/s.J.S.Enterprises,
No.1/107, Mettu Street,
Othappai Village and Post,
Uthukottai Taluk,
Thiruvallur District – 602 023.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 & 2 to forbear the respondents 4 to 7 from putting up any construction of the road at the gifted site comprised in an extent of Ac.1.14 cents in all measuring 49620 sq.ft., in 30 feet width from north to south and 1654 ft., length from east to west connecting Thiruvallur – Uthukottai main road, comprised and 7/3, 12/2C, 12/2D and 12/2E of Othappai Village, Uthukottai Taluk, Thiruvallur District in any manner and consequently remove any construction of road at the said site that had been put up by the respondents 4 to 7.



W.P.No.19894 of 2021

WEB COPY

For Petitioner : Mr.D.Ashok Kumar

For Respondents

For R1 : Mr.S.Jayachandran
Government Advocate

For R2 & R3 : Mr.T.Arunkumar
Additional Government Pleader

For R4 : Mr.K.Nagarajan
For M/s. Majestic Law Firm

For R5 to R7 : No appearance

ORDER

This writ petition has been filed for forbearing the respondents 4 to 7 from putting up any construction of the road at the gifted site comprised in an extent of Ac.1.14 cents in all measuring 49620 sq.ft., in 30 feet width from north to south and 1654 ft., length from east to west connecting Thiruvallur – Uthukottai main road, comprised in 7/3, 12/2C, 12/2D and 12/2E of Othappai Village, Uthukottai Taluk, Thiruvallur District in any manner and consequently remove any construction of road at the said site that had been put up by the respondents 4 to 7.

2. The petitioner had purchased a land to an extent of 5.09 acres comprised in S.Nos.5/1B, 5/2B, 5/2C(part), 5/2A, 5/2D (Part), 2/1A, 2/1B, 5/1C, 6/1H, 5/1A, 6/1G in Othappai Village, Uthukottai



W.P.No.19894 of 2021

Taluk, Thiruvallur District, by the registered sale deed dated 05.04.2007 vide document No.1233 of 2007. The fourth respondent had carried out business in the name and style of M/s.DR Enterprise Automotive Private Limited and had purchased an extent of 9.16 acres comprised in S.No.6/2B, 6/2C, 6/2D, 6/2A, 5/2D(Part), 5/2C (part), 7/1, 7/2E, 7/2A, 7/2D, 7/2B, 7/2C, 7/2F, 7/3 and 7/2G situated at Othappai Village, Uthukottai Taluk, Thiruvallur District. Likewise, the fifth respondent purchased the company called M/s.Woojin Automotive India Private Limited.

3. Thereafter, the petitioner and the respondents 4 & 5 in order to develop their site and for their ingress and egress, gifted their part of the land to the local authorities to an extent of 1.14 acres viz., 30 feet in length from north to south and 1654 ft. length from east to west connecting Thiruvallur – Uthukottai main road, comprised in survey Nos.7/3, 12/2C, 12/2D and 12/2E of Othappai Village, Uthukottai Taluk, Thiruvallur District, by the gift deed dated 29.02.2008 registered vide document No.594 of 2008.



W.P.No.19894 of 2021

4. While being so, the respondents 4 to 6 had entered into an agreement with the seventh respondent to put up their construction of a road without any sanction or approval from the authority. No road can be put up by the private party. Further already subject land has been gifted in favour of the local authorities. Therefore, the petitioner filed the present writ petition with the above prayer.

5. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

6. On perusal of the counter filed by the respondents revealed that if the private companies need road facilities, they have to make representation to the District Collector through proper channel. Then only they will be permitted to lay road on the land. Admittedly, the respondents 4 to 7 did not obtain any approval from the district administration to put up any road in the said property.

7. In view of the above discussions, the respondents 4 to 7 are hereby restrained from putting up or to lay any road in the land



W.P.No.19894 of 2021

comprised in survey Nos. 7/3, 12/2C, 12/2D and 12/2E situated at Othappai Village, Uthukottai Taluk, Thiruvallur District, without obtaining any prior permission from the authority concerned.

8. With the above directions, the Writ Petition stands disposed of. Consequently, connected miscellaneous petition is closed. There shall be no orders as to costs.

28.10.2024

Index : Yes/No
Speaking/Non Speaking order
Neutral Citation : Yes/No

rts



W.P.No.19894 of 2021

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Thiruvallur District,
Thiruvallur.
2. The Block Development Officer,
Panchayat Union,
Uthukkottai Taluk,
Thiruvallur District.
3. The President,
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