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W.M.P. No.22180 of 2024

W.M.P. No.22180 of 2024 in
W.P. No.16310 of 2024

N.SATHISH KUMAR, J.

This petition has been filed by M/s.Sahara Prime City Ltd., Coimbatore, proposed party alleging that the 5th respondent in the writ petition has stated before the Hon'ble Supreme Court that only an extent of 12.28 Acres land have been developed as house sites. In view of the specific stand of the fifth respondent, the Hon'ble Supreme Court has passed an order as follows:

" At this stage Mr.Ratnakar Das, learned senior counsel for the applicant in I.As. No.190-191 of 2016 points out that one of the properties whcih the Saharas owns is situate at Coimbatore and has been developed in the name and style of Sahara City Homes. He submits that the applicants have purchased flats in the said developed area which spreads over a total extent of 12.28 acres out of a total area of 112.14 acres owned by Saharas. He submits that the permission granted by this court should not jeopardize the interest of hte applicants in the said developed colony. We accordingly make it clear that this permission shall not authorise the sale of 12.28 acres of land developed in the



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name and style of Sahara City Homes at Coimbatore. We however direct that the Saharas shall keep SEBI informed about the transactions entered into by them and the terms on which the same have been made."

However, now they have approached TNRERA for sale of the entire 112.14 Acres.

2. It is the contention of the learned senior counsel appearing for the proposed party that unless the proposed party is impleaded as a party in this writ petition, serious prejudice would be caused to them. Hence seeks impleadment.

3. Though counter affidavits have been filed by the respondents to the effect that TNRERA order has become final and that has not been challenged, now in the writ petition filed for a direction to register the document, all those things cannot be agitated.

4. At the outset, this court is of the view that though the prayer in the writ petition is limited to registration of the document, the fact that the fifth



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respondent, the so-called association has admitted before the Hon'ble Supreme Court that the development was only in respect of 12.28 acres out of 112.14 acres. Based on the said submission, the Hon'ble apex court, by its order dated 11.07.2016 permitted the remaining land to be sold by Sahara and the proceeds has to go to SEBI. In such view of the matter, since it require a detailed deliberation and consideration and the issue requires proper scrutiny on perusal of all the documents, therefore the proposed party is a necessary party.

5. Accordingly, the impleading petition is ordered and the petitioner in W.M.P. No.22180 of 2024 is impleaded as the 7th respondent in the writ petition.

6. Registry is directed to make necessary amendment in the cause title.

23.07.2024

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