



W.P.No.18167 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.05.2025

CORAM:

THE HONOURABLE MR. JUSTICE V.LAKSHMINARAYANAN

**W.P.No.18167 of 2025
and
WMP.No.20347 of 2025**

Chandrasekara Rao

...Petitioner

Vs

1. Public Works Department
Represented by Secretary to Government
Chennai.
2. The Executive Engineer,
Public Works Department,
Buildings (C & M) Division,
Chengalpattu.
3. The District Collector,
Chengalpattu District,
Chengalpattu,
Tamil Nadu-603 001.
4. The Tahsildar,
Thiruporur Taluka Office,
Thiruporur,
Chengalpattu-603 110.



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5. The Commissioner,
HR & CE Department,
Chennai.

6. The Joint Commissioner,
HR & CE Department,
Kancheepuram.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the respondents, its men, agents and representatives not to commence construction of the proposed Convention Centre in Sy.No.82/2B2 and Sy.No.82/2A in Muttukadu Village.

For Petitioner : Mr.P.M.N.Baghavath Krishnan
For Respondents : Mr.P.S.Raman
Advocate General
Assisted by Mr.NRR Arun Natarajan
Special Government Pleader
(HR & CE) (R5 and R6)
Mr.J.Ravindran,
Additional Advocate General
Assisted by Mrs.R.Anitha,
Special Government Pleader (R1 to R4)

ORDER

This Writ Petition has been filed seeking for a direction to the respondents, its men, agents and representatives not to commence



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construction of the proposed Convention Centre in Sy.No.82/2B2 and Sy.No.82/2A in Muttukadu Village.

2. By consent of the parties, the writ petition is taken up for disposal at the time of admission stage itself.

4. The case of the petitioner is that the property situated in S.Nos.82/2B2 and 82/2A in Muttukadu Village, Thiruporur Taluk, Chengalpattu District belongs to Arulmigu Vembudi Amman Temple in Muttukadu Village. He claims that the respondents are attempting to put up a construction over the said property without initiating Land Acquisition Proceedings.

5. When the matter came up yesterday (15.05.2025), Mr.J.Ravindran, the learned Additional Advocate General representing the respondents 1 to 4 sought for time in order to get instructions from the respondents.



6. When the matter is called today, the learned Advocate General
 erred for the respondents 5 and 6 and submitted that no construction
 ing to take place in S.No.82/2B2 without resorting to the provisions
 ight to Fair Compensation and Transparency in Land Acquisition,
 Rehabilitation and Resettlement Act, 2013. He has produced the plan
 is scanned and annexed hereunder:





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7. The learned Advocate General points that in the northern corner of the S.No.82/2B2, a portion to an extent of 1755 sq.ft. is being used by the Chennai Metro Rail Corporation Ltd., for the purpose of having access to the property situated in S.No.97/3 which was originally a Meikkal Poromboke and since been transferred to the PWD Department. He states that no construction is going to put up without acquisition of the property.

8. As the apprehension of the petitioner stand allayed by the statement made by the learned Advocate General, I am of the opinion that the order of injunction need not be granted and inclined to dispose the writ petition itself.

9. The statement of the learned Advocate General is recorded. The respondents, on payment of the continued rent of Rs.53,000/- to the temple, subject to the revision from time to time for the usage of the passage, will be entitled to continue to use. It is needless to add that on



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the initiation of the acquisition proceedings the petitioner, in case, he has arrayed as a person interested, is entitled to be heard.

10. This Writ Petition is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

16.05.2025

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Index: Yes/No
Speaking order/Non-speaking order



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To

1. The Commissioner,
O/o. The Commissioner,
Hindu Religious Charitable Endowments Department,
119, Uthamar Gandhi Road,
Nungambakkam,
Chennai- 600 034.
2. The Assistant Commissioner,
O/o. The Assistant Commissioner,
Hindu Religious Charitable Endowments Department,
119, Utamar Gandhi Road,
Nungambakkam,
Chennai-600 034.
3. The Executive Officer,
O/o. The Executive Office,
(Hindu Religious and Charitable Endowment
Department)
Kachaleeswaran Temple,
No.77, Armenian Street, Mannadi,
George Town, Chennai- 600 001.
4. The temple Trustee of Kachaleeswarar Temple
O/o. The temple Trustee of Kachaleeswarar Temple,
No.77, Armenian Street, Mannadi,
George Town, Chennai- 600 001.



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V.LAKSHMINARAYANAN,J.

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