



W.P.No.33524 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 18.09.2025

CORAM

THE HON'BLE Mr. JUSTICE KRISHNAN RAMASAMY

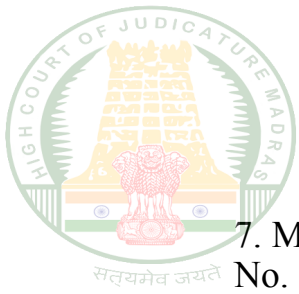
W.P.No.33524 of 2025
& W.M.P.Nos.37668 & 37690 of 2025

Samarpana Charitable Trust
Head Office At New No. 4, Old No. 60 ,
Venkatanarayana Road, T.Nagar Chennai 17 Through
Its Authorized Person, Meyanathan Karupaiyan

... Petitioner

Vs.

1. State Of Tamilnadu
The Secretary To Government (special Initiatives) ,
Planning Development And Special Initiatives
Department , Secretariat, Fort St. George Chennai 09
2. Chennai Metro Rail Limited
Rep. By The District Revenue Officer
And Project Implementation Officer,
Metros No. 327 Anna Salai, Nandanam
Chennai 35
3. Sri P.K.S. Prashanth
4. Sri Pjk Sairam
5. Smt. Sailakshmi
6. Sri. Jn Ranji @ J.N. Jahath Ramjee



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7. M/s. Phoenix Arc Pvt. Ltd.,
No. 158, 5th Floor, Dani Corporate Park,
Cst Road, Mmrda Area, Kalina Santa Cruz East,
Mumbai, Maharashtra 400 098

... Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for records related to the impugned notice dated 14.03.2025 issued by the Respondent No.2 under ref.No. 47 LA/ 2018/ CMRL for Chennai District, Guindy Talu, T.Nagar village, Block 136 Town No. 6179/2 , 0910 Natesan Park, Cross over Pangal park metro and quash the same and thereby direct the respondents to maintain Status -quo in respect of the petitioners trust property directing the respondents to abide by the mandate of the Statutory provisions governing the affairs of public trusts/ charities such as section 34 of the Indian Trusts Act, 1882 and Section 7 of the Charitable and Religious Trusts Act 1920 and Section 92 Civil Procedure code, 1908 which they are blatantly flouting

For Petitioner : Mr.Sree Narainjha,
for Mr.Hussain Mueen Farooq

For Respondent : Mr.P.Sathish, AGP for R1
Mr.B.Vijay, St.counsel for R2



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ORDER

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This writ petition has been filed challenging the impugned notice dated 14.03.2025 issued by the 2nd respondent.

2. Mr.P.Sathish, learned Additional Government Pleader, takes notice on behalf of the 1st respondent and Mr.B.Vijay, learned Standing counsel, takes notice on behalf of the 2nd respondent.

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

4. The learned counsel for the petitioner would submit that in this case, the 2nd respondent had initiated proceedings to take over the subject property for construction of Metro station. In this regard, a notice dated 14.03.2025 came to be issued by the 2nd respondent. However, the said notice was not issued to the real representatives of the petitioner-trust. Hence, this petition has been filed against the said notice issued by the 2nd respondent.



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5. In reply, the learned Additional Government Pleader and the learned Standing counsel appearing for the respondents 1 & 2 would submit that initially, the subject property was mortgaged with the 7th respondent by the petitioner. Thereafter, due to the non payments of loan amount, the 7th respondent had initiated proceedings to take over the possession of the subject property. Considering the said aspect, the impugned notice was issued by the 2nd respondent to the petitioner as well as the 7th respondent as per the details available with them. However, after the receipt of notice, none appeared on behalf of the petitioner-trust. Under the circumstances, an award was passed on 15.05.2025. Subsequently, the award amount was also deposited by the 2nd respondent, which is yet to be disbursed. Therefore, he would suggest that now, it is not proper for the petitioner to challenge the notice and if there is any grievance, the petitioner can very well challenge the award dated 15.05.2025 passed by LAOP Court. Thus, he prays for dismissal of this petition.



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6. Heard the learned counsel for the petitioner and the learned Additional Government Pleader and the learned Standing counsel for the respondents and also perused the materials available on record.

7. In the case on hand, it appears that initially, the subject property was mortgaged by the petitioner with the 7th respondent for the purpose of borrowing money. Thereafter, due to the non payment of said amount, the 7th respondent had initiated the proceedings to take over the subject property. Under these circumstances, the 2nd respondent issued the impugned notice dated 14.03.2025 for acquiring the said property for the purpose of construction of Metro Station.

8. Now, it was submitted by the respondent that subsequent to the issuance of said notice, an award was passed by LAOP Court and the award amount was also deposited by the 2nd respondent. In such case, as rightly suggested by the respondents, now, it is not proper for the petitioner to challenge the impugned notice and if there is any grievance, the petitioner can very well challenge the award dated 15.05.2025 passed



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by LAOP Court.

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9. In view of the above, this Court does not find any force in the submissions made by the petitioner and hence, this Court is inclined to dismiss the present petition.

10. Accordingly, this writ petition is dismissed. No cost. Consequently, the connected miscellaneous petitions are also closed.

18.09.2025

Speaking/Non-speaking order
Index : Yes / No
Neutral Citation : Yes / No
nsa



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To

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