



W.P.No.39554 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.39554 of 2024

and

W.M.P.Nos.42834 & 42835 of 2024

M/s.Vidyasagar Oswal Garden Owners Association,
Rep. by its Secretary – Mr.Avinash Kumar R Jain,
N Block Association Room, Vidyasagar Oswal Garden,
No.210/212, C.B.Road, Korukkupet,
Chennai – 600 021.

...Petitioner

-Vs-

- 1.The Member Secretary to the CMDA,
Thalamuthu Natarajan Building,
No.1, Gandhi Irwin Road, Egmore,
Chennai – 600 008.
- 2.The Additional Chief Secretary / Commissioner,
Greater Chennai Corporation,
Ripon Building,
Chennai – 600 003.
- 3.The Public Relation Officer,
Greater Chennai Corporation,
Ripon Building,
Chennai – 600 003.
- 4.The Zonal Officer – Zone – IV,
Greater Chennai Corporation,
No.947, T.H.Road, Thiruvotriyur,
Chennai – 600 019.



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5.The Executive Engineer,
Greater Chennai Corporation,
No.947, T.H.Road, Thiruvotriyur,
Chennai – 600 019.

6.The Assistant Engineer – Zone – IV,
Greater Chennai Corporation,
No.947, T.H.Road, Thiruvotriyur,
Chennai – 600 019.

7.Thiru.Pavan Voor,
Developer – Vidyasagar Oswal Garden Society,
Door No.28, Plot No.1, Bazulla Road,
T.Nagar, Chennai – 600 017.

and also office at

Director – I S P Infrastructure Private Limited,
Door No.139, Dr.Radhakrishnan Salai,
Mylapore, Chennai – 600 004.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a direction in the nature of Writ of Mandamus,

I) The respondents are directed to initiate the road widening process without any further delay and take necessary approval from the authorities for the specific performance in anticipation of road widening in future.

II) If the respondent / Chennai Corporation does not have proposal for road widening, this Court may be directed to revoke the gifted land as it is not been utilised for about 14 years and no plan in future road widening since the Registered Gift Deed for the specific performance in anticipation of road widening in future by the 7th respondent M/s. Voora represented by



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GPA Mr.Pavan Voora to and in favour of Chennai Metropolitan Development Authority (CMDA) bearing registered Doc.No.3972/2010, registered at Sub-Registrar of District of Royapuram and Registration District of North Chennai and pass order.

For Petitioner : Mr.S.Nambi Arooran
For R1 : M/s.K.Mageswari
Standing Counsel (CMDA)
For R2 to R6 : Mr.A.Arun Baby
Standing Counsel

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus,

I) The respondent to initiate the road widening process without any further delay and take necessary approval from the authorities for the specific performance in anticipation of road widening in future.

II) If the respondent / Chennai Corporation does not have proposal for road widening, this Court may be directed to revoke the gifted land as it is not been utilised for about 14 years and no plan in future road widening since the Registered Gift Deed for the specific performance in anticipation of road widening in future by the 7th respondent M/s. Voora represented by GPA Mr.Pavan Voora to and in favour of Chennai Metropolitan Development Authority (CMDA) bearing registered Doc.No.3972/2010, registered at Sub-Registrar of District of Royapuram and Registration District of North Chennai.



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WEB COPY 2. A counter affidavit was filed on behalf of the 4th respondent dated 28.01.2025 and the relevant paragraph is extracted hereunder:

“8. I respectfully submit that the Greater Chennai Corporation will not utilize the land in question for any commercial purpose or for any other purpose other than for expansion of road in the future.”

3. Learned standing counsel appearing for the respondents Corporation has filed the above counter affidavit stating that the land will not be utilized by the Greater Chennai Corporation for any commercial purpose or for any other purpose other than for expansion of road in the future. Hence, nothing survives in this writ petition for further adjudication.

In view of the above, the **writ petition stands closed**. No costs.
Consequently, connected miscellaneous petitions are closed.

06.02.2025

cda
Index : Yes/No
Speaking/Non Speaking order



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