



WP No. 19442 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-05-2026

CORAM

THE HON'BLE MRS.JUSTICE L.VICTORIA GOWRI

**WP No. 19442 of 2026 AND
WMP Nos. 20723 and 20726 OF 2026**

M/s.Samarpana Charitable Trust
Head Office at New No.4, Old No.60,
Venkatanarayana Road,
T.Nagar, Chennai-600 017
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-600 009.
2. Chennai Metro Rail Limited
Rep. By the District Revenue Officer and
Project Implementation Officer,
METROS No.327 Anna Salai,
Nandanam, Chennai-600 035
3. Tahsildar (Land Acquisition),
Guindy Taluk,
Chennai-600 032

..Respondents

Prayer : Writ Petition under Article 226 of the Constitution praying for the issuance of a writ of certiorarified mandamus quashing the impugned notices dated 19.02.2026 in respect of RC. No.973/LND/LC-1/CMRL/2024 and 25.02.2026 in respect of RC. NO.B1/2427/2025 and directing the Respondent NO.1 to withdraw the same issued to the petitioner.



WP No. 19442 of 2026

WEB COPY For Petitioner :

Mr.Mohammed Badeea Uz Zaman
for Mr.Hussain Mueen Farooq

For Respondents:

Mr.M.Murali, Government Advocate – for R1
Mr.B.Vijay, Standing Counsel – for R2
Ms.Abitha Banu (appeared through VC)
(for Phoenix Arc Pvt Ltd. - not a party to the W.P.)

ORDER

This writ petition has been filed challenging the impugned notices dated 19.02.2026 in respect of RC. No.973/LND/LC-1/CMRL/2024 and 25.02.2026 in respect of RC. NO.B1/2427/2025 and directing the first respondent to withdraw the same issued to the petitioner.

2. Learned counsel appearing for the petitioner submitted that the petitioner is a Trust and they are the absolute owners of the property comprised in T.S.No.6179/2 and 6179/1, Venkatanarayana Road, T.Nagar, Chennai 600 017. While so, the second respondent Chennai Metro Rail Limited, in the process of acquiring lands for the expansion of their rail network project, proposed to acquire an extent of 299 sq.mtrs in T.S.No.6179/2 and another 10 sq.mtrs in T.S.No.6179/1 in the aforesaid property. Pursuant to the same, the petitioner Trust filed O.P.No.260 of 2022 making the second respondent a party to the said petition. A single Bench of this Court passed an order dated 05.09.2022 permitting the petitioner to vest the schedule property in favour of the second respondent, following which a sale deed



WP No. 19442 of 2026

was executed by the petitioner in favour of the second respondent on 12.10.2022.

The order dated 05.09.2022 passed in O.P.No.266 of 2022 was challenged by the asset reconstruction company Phoenix ARC Private Limited claiming that they hold a charge over the schedule property.

3. It is the further claim of the petitioner that the petitioner had obtained the property vide a gift deed dated 23.06.2006 and they are not aware their vendors had allegedly sought for financial assistance from Andhra Bank and the said Bank had allegedly assigned the loan and its right of recovery to the said Phoenix ARC Private Limited. Learned counsel also submits that the land revenue records and Patta in respect of the schedule property stands in the name of the petitioner Trust and they have also filed O.S.No.7264 of 2024 against the original owners / alleged borrowers, wherein a compromise decree was passed on 13.12.2025. The said Phoenix ARC Private Limited had filed an application for setting aside the decree, wherein the VI Additional City Civil and Sessions Judge, Bengaluru (CCH-11) has directed the parties not to act on the decree, keeping the decree intact.

4. In the meantime, the said Phoenix ARC Private Limited has moved this Court in O.S.A.No.227 of 2025 challenging the order dated 05.09.2022 passed in O.P.No.260 of 2022. The said appeal was allowed by this Court setting aside the order dated 05.09.2022 thereby permitting the sale of land to the second



WP No. 19442 of 2026

respondent / CMRL and the right to recover the compensation amount it paid to the petitioner. Pursuant to the same, the second respondent has issued the impugned notices dated 19.02.2026 and 25.02.2026 respectively requiring the petitioner Trust to pay the demanded amount and for attachment of property. Challenging the same, the present writ petition on the ground that the title over the property exclusively stands in the name of the petitioner Trust and in view of the compromise decree dated 13.12.2025, which is subsisting, the petitioner is the absolute owner of the property and therefore the impugned notices are untenable.

5. Heard Mr.M.Murali, learned Government Advocate appearing for the first respondent and Mr.B.Vijay, learned Standing Counsel appearing for the second respondent / CMRL.

6. Learned Standing Counsel appearing for the second respondent / CMRL vehemently contended that the petitioner Trust has not approached this Court with clean hands and this petition has to be dismissed on the sole ground of suppression of material facts, firstly that the petitioner having suppressed the charge on the subject property has received the compensation amount towards acquisition of the land by CMRL and secondly that, challenging the order passed in O.S.A.No.227 of 2025 dated 25.10.2025, the petitioner Trust had preferred S.L.P.(C) No.36065 of 2025 and the same was dismissed by the Hon'ble Supreme Court by order dated



WP No. 19442 of 2026

06.01.2026. Therefore, on the above two grounds the writ petition has to be dismissed at the threshold.

7. Learned counsel appearing for Phoenix ARC Pvt Ltd., who is not a party to this writ petition submits that, they stand by the judgment of this Court in O.S.A.No.227 of 2025 which has been confirmed by the Hon'ble Apex Court and they are concerned only with the revenue recovery proceedings initiated by the second respondent / CMRL.

8. I have considered the submissions made by the learned counsel for both sides and have perused the materials placed on record.

9. A careful perusal of the materials placed on record makes it clear that the petitioner Trust has suppressed the factum of dismissal of the special leave petition in S.L.P.(C) No.36065 of 2025 dated 06.01.2026, which was preferred by the petitioner Trust against the order dated 25.10.2025 passed in O.S.A.No.227 of 2025. It is seen that the Division Bench, in the said order has come down heavily on the petitioner Trust, which reads as follows:

" 48. The deed of amendment of Trust dated 16.06.2021 has consciously suppressed by the borrowers which, at Clause 29 states



WEB COPY

that the Trust does not hold any immovable property. The amendment was in June 2021 and is a registered document.

49. It is thus clear as day light that the borrowers have consciously suppressed / kept away from CMRL to obtain the legal opinion, even though the role of CMRL, as being a partner in crime, is equally crystally clear. That apart, the Patta even, as per the legal opinion, stands in the name of the original borrowers. This is also not been flagged.

.....

57. We are left in no doubt that the entire sordid exercise is an attempt by the borrowers and guarantors to wriggle of the financial commitments towards the Bank, for which purpose, a fraudulent scheme has been devised, denuding the public exchequer of a substantial sum of money...."

10. Hence, the elaborate discussion and findings rendered by the Division Bench of this Court in the order dated 25.10.2025 in O.S.A.No.227 of 2025 having been confirmed by the Hon'ble Supreme Court in the order dated 06.01.2026 in S.L.P.(C) No.36065 of 2025, the issue has attained finality. However, the order of the Apex Court has been suppressed by the petitioner Trust before this Court. Therefore, it is crystal clear that the petitioner Trust has not approached this Court with clean hands and the petitioner, with an ulterior motive to thwart the revenue recovery proceedings initiated against them, has filed this writ petition, as a last minute measure and to escape the clutches of the initiatives undertaken by the



WP No. 19442 of 2026

second respondent / CMRL. In view of the above discussion, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

14-05-2026

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

KST

To

1. The Secretary to Government (Special Initiatives),
Planning, Development and Special Initiatives
Department, Secretariat,
Fort St. George, Chennai-600 009.
2. The District Revenue Officer and Project
Implementation Officer,
Chennai Metro Rail Limited
METROS No.327 Anna Salai,
Nandanam, Chennai-600 035
3. Tahsildar (Land Acquisition),
Guindy Taluk,
Chennai-600 032



WEB COPY



WP No. 19442 of 2026

L.VICTORIA GOWRI J.

KST

WP No. 19442 of 2026

14-05-2026

Page 8 of 8