

ITEM NO.45

COURT NO.15

SECTION XII

**S U P R E M E C O U R T O F I N D I A**  
**RECORD OF PROCEEDINGS**

Petitions for Special Leave to Appeal (C) Nos. 10878-10879/2010

[Arising out of impugned final judgment and order dated 11-03-2010 in WA No. 403/2008 and 11-03-2010 in WA No. 404/2008 passed by the High Court of Judicature at Madras]

U. VENKATESH DIRECTOR OF AADIT AUTO (P) LTD.

PETITIONER(S)

VERSUS

EXECUTIVE OFFICER AND ORS. ETC.

RESPONDENT(S)

(IA No. 104588/2021 - APPLICATION FOR PERMISSION  
IA No. 154529/2018 - CLARIFICATION/DIRECTION  
IA No. 24458/2023 - CLARIFICATION/DIRECTION  
IA No. 91168/2022 - CLARIFICATION/DIRECTION  
IA No. 106418/2021 - CLARIFICATION/DIRECTION  
IA No. 3/2017 - MODIFICATION OF COURT ORDER  
IA No. 111522/2021 - PERMISSION TO FILE ADDITIONAL  
DOCUMENTS/FACTS/ANNEXURES  
IA No. 5/2017 - PERMISSION TO FILE ANNEXURES)

Date : 22-04-2025 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE PANKAJ MITHAL  
HON'BLE MR. JUSTICE S.V.N. BHATTI

For Petitioner(s) Mr. C. Aryama Sundaram, Sr. Adv.  
Mr. R. Anand Padmanabhan, Sr. Adv.  
Mr. Arimardhan Sharma, Adv.  
Ms. Ruchi Arya, Adv.  
Mr. Krishna Kumar Singh, AOR

For Respondent(s) Mr. P N Ravindran, Sr. Adv.  
Mr. Chevanan Mohan, Adv.  
Mr. M. Kumaresan, Adv.  
Mr. P. S. Sudheer, AOR  
Mr. Rishi Maheshwari, Adv.  
Ms. Anne Mathew, Adv.  
Mr. Bharat Sood, Adv.  
Mr. Jai Govind M J, Adv.

Mr. K M Nataraj, A.S.G.  
Mrs. Vimla Sinha, Adv.  
Mr. Akshay Amritanshu, Adv.  
Mr. Rajat Nair, Adv.  
Mr. V V V Pattabhiram, Adv.  
Mr. Arvind Kumar Sharma, AOR  
Mr. Mukesh Kumar Maroria, AOR

UPON hearing the counsel the Court made the following  
O R D E R

1. Heard Mr. C. Aryama Sundaram, learned senior counsel for the petitioner and Mr. P. N. Ravindran, learned senior counsel for the respondent No.1 and Mr. K. M. Nataraj, learned Additional Solicitor General for the respondent Nos.2 to 4.
2. The dispute in these petitions is regarding lease hold land GLRS Nos. 387/18-A and 387/18-B of St. Thomas Mount-Cum-Pallavaram Cantonment for conversion of the leasehold rights from residential to commercial purposes and for sanctioning of the building plan.
3. In the course of arguments, it was admitted that GLRS No.387/18 was never leased out to the petitioner and as such, is not involved, though the petitioner may be asking for the grant of lease of the said property also. It is not in occupation and possession of the petitioner. In fact, Mr. C. Aryama Sundaram has made a statement that GLRS No.

387/18 has not been leased out to the petitioner. It is in the shape of an open land and the petitioner is not using it.

4. During the pendency of these petitions, this Court vide order dated 23.11.2016 directed the petitioner to deposit a sum of Rs.6,00,00,000/- (Rupees six crores) and to apply afresh for the conversion of the land use. In pursuance of the said order, the requisite amount was deposited and the application for conversion came to be considered which was finally rejected vide order dated 13.07.2017.

5. In view of the aforesaid subsequent event, Mr. C. Aryama Sundaram, learned senior counsel for the petitioner submits that he will workout his remedies against the rejection of its representation for conversion of land before the appropriate authorities i.e., against the order dated 13.07.2017 in accordance with law and if this is permitted these special leave petitions may be dismissed as not pressed.

6. Mr. K. M. Nataraj, learned Additional Solicitor General for the respondent Nos.2 to 4 probably has no objection to the petitioner's

submission for taking remedy against the order dated 13.07.2017 but insisted that since the petitioner has not paid any rent/damages for use and occupation of the leased property, it would be in the interest of justice that some reasonable amount, similar to what was directed earlier, may be deposited.

7. Considering the rival submissions of the learned counsel for the parties, we dispose of these special leave petitions with liberty to the petitioner to take or draw out its remedies against the order dated 13.07.2017 rejecting its application for conversion of the land use pursuant to the direction of this Court as also the subsequent policies that may have come into force in the meantime before appropriate authorities in accordance with law.

8. The petitioner for availing its remedies, as aforesaid, shall deposit a further sum of Rs.6,00,00,000/- (Rupees six crores) for the use and occupation of the leased property with the respondent No.4 'Defence Estate Officer, Madras Circle', within a period of two months from today.

9. The rights of the respondents to take

objections to any of the proceedings initiated by the petitioner shall not stand foreclosed.

10. Pending application(s), if any, shall stand disposed of.

(SNEHA DAS)  
SENIOR PERSONAL ASSISTANT

(NIDHI MATHUR)  
COURT MASTER (NSH)