

ITEM NO.38

COURT NO.2

SECTION XII

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) 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 11/03/2010 in WA No. 403/2008 11/03/2010 in WA No. 404/2008 11/03/2010 in WA No. 404/2008 passed by the High Court of Madras)

U. VENKATESH

Petitioner(s)

VERSUS

EXECUTIVE OFFICER & ORS.

Respondent(s)

(With appln. (s) for modification of Court's order dated 10.1.2017 and interim relief and office report)

Date : 31/03/2017 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DIPAK MISRA  
HON'BLE MR. JUSTICE A.M. KHANWILKAR

For Petitioner(s) Mr. C.A. Sundaram, Sr. Adv.  
Mr. R. Anand Padmanabhan, Adv.  
Mr. Balakrishnan V., Adv.  
Mr. Romil Pathak, Adv.  
Ms. Ananya Mukharjee, Adv.  
Mr. Pramod Dayal, AOR

For Respondent(s) Mr. C. Mohan, Adv.  
Mr. Senthil Jagadeesan, AOR  
Mr. Govind Manoharan, Adv.  
Ms. Shruti Iyer, Adv.  
  
Ms. Vimla Sinha, Adv.  
Mr. V.V.V. Pattabhi Ram, Adv.  
Mr. N.K. Karhail, Adv.  
Mr. Mukesh Kumar Maroria, AOR

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

It is submitted by Mr. C.A. Sundaram, learned senior counsel appearing for the petitioner that in pursuance of the order dated 23<sup>rd</sup> November, 2017, a sum of Rs.6,00,00,000/- (Rupees six crores only) has been deposited with the Defence Estate Officer, the respondent No.4 herein. The said amount may be appropriated. The respondent No.4 is directed to consider the prayer for conversion for commercial exploitation of the lease hold area within a period of eight weeks. It is further directed that the petitioner shall not use, barring ingress and regress, any area that is beyond the lease hold area, after the first week of May, 2017.

We have also been apprised that the petitioner has submitted an application for grant of lease in respect of certain plots which is pending before the respondent No.4. The said respondent shall dispose of the said application within a period of eight weeks in accordance with law.

At this juncture, we may note the submission advanced by Mr. C. Mohan, learned counsel appearing for the respondent No.1, the Cantonment Board. It is put forth by him that the petitioner has constructed on the lease hold area without the prior permission of the competent authority of the Cantonment Board. The same was disputed by Mr. Sundaram, learned senior counsel appearing for the petitioner. The said aspect shall be addressed to on the next date of hearing.

List the matter in the third week of July, 2017.

(Chetan Kumar)  
Court Master

(Madhu Narula)  
Court Master