

ITEM NO.1

COURT NO.4

SECTION XII

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

Petition(s) for Special Leave to Appeal (C) No(s).14883/2011

(From the judgment dated 29.04.2011 passed in W.A.No.704 of 2011 by the High Court of Judicature at Madras)

BARACAH PRAYER GROUP & PRAYER HSE.TR.SEC
VERSUS
ASHOK LEYLAND P.K.P.V.M.NALA SANGAM&ORS.

Petitioner(s)

Respondent(s)

(With interim relief and office report)
(For final disposal)

Date : 22/07/2015 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE JAGDISH SINGH KHEHAR
HON'BLE MR. JUSTICE ADARSH KUMAR GOEL

For Petitioner(s)

Mr.A.T.M.Rangaramanujam, Sr.Adv.
Mr. M. A. Chinnasamy, Adv.
Mr.V.Senthil Kumar, Adv.
Mr.S.Rathee, Adv.

For Respondent(s)

Mr.Subramonium Prasad, AAG
Mr. M. Yogesh Kanna, Adv.
Mr.Jayant Patel, Adv.Mr. Neeraj Shekhar, Adv.
Mr.S.N.Ravichandran, Adv.
Mr.Ashutosh Thakur, Adv.
Dr.B.Kalaivannan, Adv.
Mr.Rant Prashant, Adv.
Mr.Rohit Singh, Adv.Upon hearing the counsel the Court made the following
O R D E RDuring the course of hearing, consequent upon certain
suggestions made by this Court, learned senior counsel for the

petitioner states, that it may be recorded that the petitioner has

Signature Not Verified

Digitally signed by

no right over Survey No.618/A of Sri A.Ramasamy Mudaliar Nagar,

Satish Kumar Yadav

Date: 2015.07.24

16:46:31 IST

Reason:

Thiruvottiyur village, Chennai, or for that matter, plot Nos.121,

122, 123 and 124, except to the extent of user thereof for ingress

SLP(C)No.14883/11

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and egress to its own property in Survey No.618/B1 G3. It is

accordingly the contention of the learned senior counsel for the

petitioner, that the petitioner would be satisfied if the right of

ingress and egress to his property is ordered to be preserved.

Learned counsel for the respondents acknowledges the aforesaid prayer made at the behest of the learned counsel for the petitioner, subject to the condition, that the petitioner shall not claim any title or ownership over Survey No.618/A of Sri A.Ramasamy Mudaliar Nagar, Thiruvottiyur village, Chennai, described above, and that, he shall not make any encroachment over the same and remove the existing encroachment, if any.

Consequent upon the submissions advanced at the hands of the learned counsel for the respondents, learned senior counsel for the petitioner undertakes, that the petitioner shall not claim title or ownership over Survey No.618/A of Sri A.Ramasamy Mudaliar Nagar, Thiruvottiyur village, Chennai, and further, that the petitioner shall not make any encroachment thereon, and will remove any encroachment already made by the petitioner over the same.

In view of the above, subject to the condition expressed above, the solitary right of the petitioner with reference to Survey No.618/A of Sri A.Ramasamy Mudaliar Nagar, Thiruvottiyur village, Chennai would be to use the same for ingress and egress only to its own property in Survey No. 618/B1 G3.

The special leave petition is disposed of in the above terms.

(SATISH KUMAR YADAV)
AR-CUM-PS

(RENUKA SADANA)
COURT MASTER