

ITEM NO.1

COURT NO.9

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 (Civil) No(s).9218/2007

(From the judgement and order dated 27/04/2007 in      WA No. 714/2002  
of The HIGH COURT OF MADRAS)

SREE BALAJI NAGAR RESIDENTIAL ASSN.

Petitioner(s)

VERSUS

STATE OF T.NADU &amp; ORS.

Respondent(s)

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

WITH

SLP(C) NO. 9492 of 2007

(With appln.(s) for permission to place addl.documents on record and  
with prayer for interim relief and office report)

(For final disposal)

SLP(C) NO. 10555 of 2007

(With prayer for interim relief and office report)

(For final disposal)

SLP(C) NO. 11059 of 2007

(With prayer for interim relief and office report)

(For final disposal)

SLP(C) NO. 12088 of 2007

(With prayer for interim relief and office report)

(For final disposal)

SLP(C) NO. 14712 of 2007

(With appln.(s) for permission to place addl. documents on  
record and with prayer for interim relief and office report)

(For final disposal)

SLP(C) NO. 14720 of 2007

(With appln.(s) for permission to place addl. documents on  
record and with prayer for interim relief and office report)

(For final disposal)

SLP(C) NO. 19047 of 2007

(With office report)

(For final disposal)

Date: 31/03/2010      These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI

HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Petitioner(s)      Mr.B.Ragunath, Adv.

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(In SLP(C)No.9218/      Mr. Vijay Kumar,A.O.R.  
2007)

In SLP(C)No.10555/07 Mr. K.V.Mohan, A.O.R.

In SLP(C)14712/07      Dr.Rajeev Dhawan, Sr.Adv.  
Mr. V. Balaji, Adv.  
Ms.Pallavi Mohan,a dv.  
Mr.Rakesh K.Sharma, A.O.R.

In SLP(C)14720/07      Mr. Shyam Divan, Sr. Adv.

Mr. V. Balaji, Adv.  
Mr. T.S. Shanthi, Adv.  
Mr. Narendra Kumar, A.O.R.

In SLP(C)No.19047/  
07 Mr.T.Mohan, Adv.  
Mr.V.Balaji, Adv.  
Mr.Abhishek Anand, Adv.  
Mr.Narendra Kumar, A.O.R.

In SLP(C)9492/2007 Mr.Altaf Ahmad, Sr.Adv.  
Mr.M.Gireesh Kumar, Adv.  
Mr.B.Ragunath, Adv.  
Mr.Khwairakpam Nobin Singh, A.O.R.

In SLP(C)11059/07 Mr.Kailash Vasudev, Sr.Adv.  
Mr.V.Balaji, Adv.  
Mr. Pravesh Thakur, Adv.  
Mr.Narendra Kumar, A.O.R.

In SLP(C)12088/07 Mr.Prasanth P., Adv.  
Ms. K.V.Bharathi Upadhyaya, A.O.R.

For Respondent(s)  
For State of T.N. Mr.M.N.Rao, Sr.Adv.  
Mr. R. Viduthalai, Sr.Adv.(N/P)  
Mr. R. Nedumaran, Adv.  
Ms. Indira, Adv.  
Mr. V.Jagdishvaran, Adv.  
Mr.Ramesh, Adv.

Mr. S. Thananjayan, Adv.

Mr. V.G. Pragasam, Adv.

Mr. T. Harish Kumar, Adv.

In SLP(C) 9218/07 Mr.Praveen Jain, Adv.  
(For NHAI) Mr.Mukesh Kumar, Adv.  
For M/S. M.V. Kini & Associates, Advs.

UPON hearing counsel the Court made the following

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#### O R D E R

In the course of further hearing of the cases, Shri M.N.Rao,  
learned senior counsel appearing for the State of Tamil Nadu  
referred to final report submitted by Mott MacDonald an expert  
appointed by the Government of Tamil Nadu to study the entire scheme  
and prepare the Stormwater Drainage Master Plan for Madras City and  
Pre-Feasibility Study for Madras Metropolitan Area. Shri Rao then  
handed over a xerox of Appendix-XII which finds mention in the  
report. He also referred to the averments contained in the  
rejoinder affidavit filed before the High Court in Writ Petition  
No.36732/2006 (C.Govindrajan vs. Government of Tamil Nadu and  
Others).

Having gone through the relevant portions of the report and

Appendix-XIII, we are of the view that an expert body should be appointed to study the environmental aspect of the scheme which is under challenge before this Court because the expert appointed by the State Government had suggested further study/monitoring of ground water outside the Chennai metropolitan area.

Learned counsel for the parties are requested to suggest the names of the experts and the terms of reference. All of them agreed to do so.

List the case on 06.04.2010 for necessary directions.

The arguments on the issue of invoking the urgency clause and other issues will be heard after the receipt of the report of the expert committee to be appointed by the Court.

In the meanwhile, learned counsel for the parties may submit

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their respective written notes.

The presence of the officers is dispensed with for the time being.

(Satish K.Yadav)  
Court Master

(Phoolan Wati Arora)  
Court Master