

ITEM NOS.22+48

COURT NO.1

SECTION XII

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).19368-19369/2007
(From the judgement and order dated 05/10/2007 in WP No. 4950/2007 & WP No. 8624/2007
of The HIGH COURT OF JUDICATURE AT MADRAS)

T. UDAYKUMAR

Petitioner(s)

VERSUS

RAVICHANDRAN & ORS.

Respondent(s)

(With appln(s) for exemption from filing c/c of the impugned Judgment and prayer for interim relief)

WITH SLP(C) NO. 19397-19399 of 2007

SLP(C) NO. 20270-20272 of 2007

SLP(C)NO.21094/2007

((With appln(s) for exemption from filing c/c of the impugned Judgment and prayer for interim relief and prayer for interim relief and office report)

AND WITH

SLP(C)...../2007 CC No.10856

(With appln.(s) for permission to file SLP and with prayer for interim relief and office report)

Date: 02/11/2007 These Petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE R.V. RAVEENDRAN

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For Petitioner(s)in Mr.Mukul Rohtagi, Sr.Adv.
SLP(C)Nos.19368-69& Mrs.Nalini Chidambaram, Sr.Adv.
CC 10856 Mr.Abudl Hameed, Adv.
Mr.Salim Abdul, Adv.
Mr.Venkataraman, Adv.
Mrs.Shashi M.Kapila, Adv.
Ms.Shilpa Kaushik, Adv.
Mr. Vikas Mehta,Adv.

SLP(C)Nos.20270-72 Mr.T.L.V.Iyer, Sr.Adv.
Ms. Kavita Wadia,Adv.
Mr.Vikas Mehta, Adv.

Mr.Pramod Dayal, Adv.

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SLP(C)Nos.19397-99 Mr.Kashi Vishweshwar, Adv.
Ms. A. Sumathi, Adv.

For Respondent(s) Mr.Gopal Subramaniam, ASG.
Mr.V.Krishnamurthy, SR.Adv.
Mr.T.Harish Kumar, Adv.

Mr.V.G.Pragasam, Adv.
Mr.S.Joseph Aristotle, Adv.
Mr.S.Prabhu Ramasubramanian, Adv.

For R.Nos.15,23,36 Mr.K.V.Viswanathan, Adv.
Mr.B.Raghu, Adv.
Mr.Sashi Bhsuhan Kumar, Adv.

UPON hearing counsel the Court made the following
ORDER

Permission to file SLP is granted.

Issue notice.

Learned counsel appears and accepts notice on behalf of Tamil Nadu Housing
Board.

The judgment of the High Court is stayed, subject to the following :

(i)The petitioner in SLP(C)Nos.19368-19369/2007 i.e. T.Udayakumar, who is the
developer, shall deposit a sum of Rupees five crores within six weeks from today with the Tamil
Nadu Housing Board without prejudice to the rights and contentions of the parties.

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(ii)Out of the 58 flats constructed in the disputed property, 54 flats have already
been allotted to the purchasers of undivided shares (who are petitioners in the connected
petitions) and they may occupy their flats subject to the condition that they will execute an
undertaking before this Court that they will abide by the result of these special leave petitions
and that they will not alienate or part with the possession of the respective flat pending disposal

of these special leave petitions to any third party.

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(iii)The four flats which have not been so far allotted would remain with the petitioner-developer.

(iv)It is further directed that only after the petitioner Udaykumar depositing the money and after filing of the undertakings, the allottees shall enter into occupation of the flats.

(v)The enquiry ordered by the Division Bench as para 129(d) shall continue as per the judgment.

(G.V.Ramana)
Court Master

(Veera Verma)
Court Master