



Announcement made by Hon'ble Chief Minister of Tamil Nadu under Rule 110 - Formation of New Mofussil Bus Terminus at Vandalur - Allotment and Transfer of land to an extent of 88.52 acres requested by Chennai Metropolitan Development Authority - Orders issued.

Revenue [LR.2(1)] Department

G.O. (Ms) No.241

Dated:07.09.2016

Read:

1. G.O. (Ms) No.296, Revenue, dated 05.08.2013.
2. Government Letter No.24007/LR.2(1)/2014, Revenue, dated 08.07.2014.
3. Judgement of Hon'ble Division Bench in W.A.Nos.1289, 1495 and 1519 of 2015 and M.P.No.1 of 2015, dated 30.08.2016.
4. From the Principal Secretary / Commissioner of Land Reforms, Letter No.B1/6315/2012, (L.Ref.), dated 02.09.2016.

ORDER:

In the reference first read above, orders have been issued resuming the lands measuring to an extent of 88.52 acres which were declared as surplus lands from the holdings of Tvl. Kasturi Estate Private Limited in Kilambakkam Village, Chengalpattu Taluk of Kancheepuram District under rule 9(1)(iii)(b) of the Tamil Nadu Land Reforms (Disposal of Surplus Land) Rules, 1965 so as to reserve the above lands for ELCOT, Indian Institute of Technology and Neyveli Lignite Corporation under rule 13 of the said Rules.

2. In the reference fourth read above, the Principal Secretary / Commissioner of Land Reforms has stated that orders have not been passed reserving the above said land in favour of the above said requisitioning body in view of the pendency of Writ Petition in W.P.No.10532/2008 filed by M/s. VGP Housing Private Limited and also the Special Leave Petition filed by the State against the orders of Hon'ble Division Bench in W.A.No.124 of 2015 in the case of an assignee Tmt. Karpagam.

3. The Principal Secretary / Commissioner of Land Reforms has also stated that the Special Leave Petition filed by the State in SLP (C) No.13856/2015 was dismissed by the Supreme Court of India resulting which the order of W.P.No.31502/2012 directing the authorities to allot the land to the assignee Tmt. Karpagam has to be complied with and that the assignee also filed a Contempt Petition in C.P No.3409/2014 for non-compliance of the orders of Hon'ble Court and that the writ petition filed by M/s. VGP Housing Private Limited in W.P.No.10532/2008 was allowed by the Learned Single Judge on 8.7.2015 and as it is adverse to Government, State filed Writ Appeal in W.A.No.1519/2015 and that as the declaration of surplus itself was under challenge, Tmt. Karpagam also filed Writ Appeal in W.A.No.1289/2015 and W.A.No.1495/2015 challenging the order of the single judge dated 8.7.2015 and that the Hon'ble Division Bench in W.A.Nos.1289,

1495 and 1519 of 2015 and M.P.No.1 of 2015, dated 30.8.2016 has allowed the Writ Appeal in W.A.No.1519 of 2015 filed by the State and set aside the order of the Learned Single Judge dated 8.7.2015 and in respect of W.A.No.1289 and 1495 of 2015, filed by Tmt. Karpagam, it disposed of with the observation that the priority of the Government is only to keep in mind the avowed object of allotment of land to the needy for the purpose of earning livelihood and not to make a person unjustly enriched by way of such allotment and it is for the Government to provide suitable alternate place to Tmt. Karpagam for the purpose of earning livelihood on 30.8.2016.

4. The Principal Secretary / Commissioner of Land Reforms has further stated that consequent on the above verdict of the Hon'ble Division Bench dated 30.8.2016, the notification under section 18(1) of the Act dated 26.9.79 holds the field and in respect of Tmt. Karpagam case, Government have to provide alternate place instead of the land allotted to her in Kilambakkam Village and that direction has been given to consider the representation if submitted, by M/s. Kasturi Estate Private Limited and for Government to pass orders as per law thereon.

5. The Principal Secretary / Commissioner of Land Reforms has also stated that the Chennai Metropolitan Development Authority has requested to handover the above lands, as it is essentially required for formation of Mofussil Bus stand at Vandalur, in order to create major public infrastructure to decongest traffic in Chennai City and to give enter upon permission pending land alienation and land cost and that the Chennai Metropolitan Development Authority has also stated that they are ready to pay any advance amount towards land cost pending fixation of actual land cost by the Government.

6. The Principal Secretary / Commissioner of Land Reforms has therefore requested the Government to cancel the orders issued in G.O. (Ms) No.296, Revenue, dated 05.08.2013 for reservation under rule 13 of the Tamil Nadu Land Reforms (Disposal of Surplus Land) Rules, 1965 for ELCOT, Indian Institute of Technology and Neyveli Lignite Corporation and also to reserve the lands to an extent of 88.52 acres in Kilambakkam Village in favour of Chennai Metropolitan Development Authority for formation of new Mofussil Bus Terminus at Vandalur (Kilambakkam Village) under rule 13 of the said Rules as per the Announcement made by the Hon'ble Chief Minister of Tamil Nadu under rule 110, subject to any decision taken on the representation of M/s. Kasturi Estate Private Limited, if submitted and also to issue separate orders regarding the land value to be paid by the Chennai Metropolitan Development Authority.

7. The Government have carefully examined the proposal of the Principal Secretary / Commissioner of Land Reforms in the reference fourth read above and accordingly issue orders as follows:-

(a) Orders issued in G.O. (Ms) No.296, Revenue, dated 05.08.2013 for reservation under rule 13 of the Tamil Nadu Land Reforms (Disposal of Surplus Land)

Rules, 1965 for ELCOT, Indian Institute of Technology and Neyveli Lignite Corporation is cancelled.

(b) Reserving the lands to an extent of 88.52 acres in Kilambakkam Village in favour of Chennai Metropolitan Development Authority for formation of new Mofussil Bus Terminus at Vandalur (Kilambakkam Village) under rule 13 of the Tamil Nadu Land Reforms (Disposal of Surplus Land) Rules, 1965 as per the Announcement made by the Hon'ble Chief Minister of Tamil Nadu under rule 110.

(c) As per the orders of the Hon'ble High Court, decision will be taken on the representation of M/s.Kasturi Estate Private Limited, if submitted.

(d) Regarding the land value to be paid by the Chennai Metropolitan Development Authority, separate orders will be issued.

(e) The District Collector, Kancheepuram is also directed to hand over the lands to the Chennai Metropolitan Development Authority as per this order.

(BY ORDER OF THE GOVERNOR)

**Dr.CHANDRAMOHAN.B
SECRETARY TO GOVERNMENT**

To,

The Principal Secretary / Commissioner of Land Reforms, Chepauk, Chennai-5.

The Secretary to Government,

Housing and Urban Development Department, Secretariat, Chennai-9.

The Member Secretary,

Chennai Metropolitan Development Authority, Egmore, Chennai-8.

The District Collector, Kancheepuram District.

The Chairman and Managing Director,

ELCOT, II floor, M.H.U.Complex, 472, Annasalai, Nandanam, Chennai-35.

The Director, Indian Institute of Technology Madras, Chennai-36.

The Chief General Manager,

Neyveli Lignite Corporation Limited,

135, EVR Periyar High Road, Kilpauk, Chennai-10.

Copy to:

The Special Personal Assistant to Hon'ble Minister for Revenue, Chennai-9.

Sf/Sc.

/FORWARDED BY ORDER/

SECTION OFFICER