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23/06/2025

From,
G.A. Sridhar,
No.9, 2B, 2nd Floor, Valimiki Apartment,
Valmiki Street,
T.nagar,
Chennai – 600017.

To,
The Chair person,
TNRERA,
No.1, Gandhi Irwin Road,
Egmore,
Chennai – 600 008.

Respected Sir/Madam,

Sub: Request for RERA Approval – Undertaking Submitted– Reg:-
Ref: TNRERA/PLI/5421/2025 – dated 20.06.2025.

With reference to your letter cited above I am hereby pleased to say that, the current physical conditions of the site are unfavourable to construct the RCC BOX CULVERT as there are several encroachments made by the locals over the water channel and the same are highlighted in the photographs attached by me. I have therefore approached the Hon'ble high court and obtained an order in W.P. no. 17685 of 2025 dated 2.06.2025 to remove the encroachments. I hereby also attach a duly notarized undertaking affidavit to construct the proposed culvert as per PWD Conditions once the authorities take necessary actions as per the Hon'ble High court's order.

Hence at the onset I kindly request you to grant the RERA registration.

Thank you.

Yours Sincerely,

G.A. Sridhar

भारतीय गैर न्यायिक

एक सौ रुपये Rs. 100

रु. 100 ONE HUNDRED RUPEES

सत्यमेव जयते

भारत INDIA

INDIA NON JUDICIAL

தமிழ்நாடு தமிலநாடு TAMILNADU G. A. Sridhar DF 718152

23 APR 2025

B. JANAHARAJ
STAMP VENDOR
L.NO. 14511/2004/88
HIGH COURT CAMPUS, CH-104

To,
The Chair person,
TNRERA,
No.1, Gandhi Irwin Road,
Egmore,
Chennai – 600 008.

UNDERTAKING AFFIDAVIT

I, G.A. Sridhar, S/o G. Adhikesavar, Residing at No.9,(2B), Valmiki apartments, Valmiki Street, T.nagar, Chennai – 600017. Hereby do solemnly affirm as follows.

1. I State that I have applied for RERA registration for my project "GA GARDENS" located at S.No. 80/3, 80/2A, Agarmel Village, Poonamallee Taluk, Thiruvallur District. I also state that the said project has been executed as per the plan provided by the CMDA vide its Approval no. 126/2019 dated 14/11/2019.

2. It is relevant to state that as per plan, there is condition to construct a "RCC BOX CULVERT" over the PWD Water Channel passing on the Eastern side of my Land, whereas as per the physical conditions of the site, thereis no Channel present and the same is been encroached by various building constructions. Therefore, I was unable to complete the construction of the culvert.

NOTARY
R. SRIDHARAN
CITY OF CHENNAI
G.O. Ms. No. 588/2022
LAW DEPARTMENT
DATED: 25-11-2022
GOVERNMENT OF TAMILNADU, INDIA
23/4/25

3. I also state that, with respect to the encroachments in the Channel, I had approached the Hon'ble Madras High Court by a way of a WRIT Petition.The Hon'ble High Court vide an order dated 2.06.2025 in W.P. No. 17685 of 2025 has ordered to remove the encroachments by the respective authorities (i.e.) The District Collector(Thiruvallur), Thasildhar (Poonamallee), Executive Engineer (PWD), BDO (Poonamallee)

4. I hereby undertake to state that once the respective authorities (i.e.) the Revenue and PWD Department comply to the High Court's order and take up their necessary actions to demolish such encroachments, I shall complete the construction of the culvert as per PWD Conditions.

DATE: 28/06/2025
PLACE: CHENNAI

Signature

NOTARY
R. SRIDHARAN
CITY OF CHENNAI
G.O. Ms. No. 588/2022
LAW DEPARTMENT
DATED: 25-11-2022
GOVERNMENT OF TAMILNADU, INDIA

28/06/2025

R. SRIDHARAN
ADVOCATE & NOTARY PUBLIC
Flat No.7, "Raajavenu Appartments",
New No.18, (Old No.7), Raja St, (Next to Agasthiar Temple)
T. Nagar, Chennai-600 017.
✆ : 044-24344771

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.06.2025

CORAM

THE HONOURABLE MR.JUSTICE **M.SUNDAR**
and
THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.No.17685 of 2025

G.A.Sridhar
S/o.G.Adhikesavan ... Petitioner

vs.

1. The District Collector
   Thiruvallur District.

2. The Thasildar
   Poonamallee Taluk
   Thiruvallur.

3. The Executive Engineer
   Office of the Executive Engineer
   Public Works Department
   Thiruvallur.

4. The Block Development Officer
   Poonamallee Block Development Office
   Poonamallee, Thiruvallur District. ... Respondents

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Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents 1 to 3 to evict the encroachments in S.No.96, Agarmel Village, Poonamallee Taluk, Thriuvallur District as per the petitioner's representation dated 03.10.2024 within a time frame.

For Petitioner : Mr.Dhalapathy Vignesh Kumar

For Respondents : Mr.T.K.Saravanan
Additional Government Pleader

O R D E R

[Order of the Court was made by M. SUNDAR, J.]

Subject matter of captioned main 'Writ Petition' ['WP' for the sake of brevity] is alleged encroachment in a 'water body, i.e., Survey No.96, Agarmel Village, poonamallee Taluk, Thiruvallur District which is water channel' {'said water body' for the sake of convenience and brevity}.

2. Request for removal of afore-referred alleged encroachment has not yielded results and that has necessitated captioned main WP is the submission of learned counsel for writ petitioner.

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3. Issue notice to respondents. Mr.T.K.Saravanan, learned Additional Government Pleader accepts notice for respondents. Learned State counsel submits that survey is in the anvil and depending on the survey outcome, action for removal of encroachment (if found) will be initiated vide 'the Tamil Nadu Protection of Tanks and Eviction of Encroachment Act, 2007 (Tamil Nadu Act 8 of 2007)' (hereinafter 'Tanks Act' for the sake of brevity).

4.Though obvious, this Court deems it appropriate to make it clear that due process of law vide Tanks Act necessarily means adherence to procedure put in place by a Hon'ble Full Bench of this Court vide ***T.K.Shanmugam*** case [***T.K.Shanmugam Vs. State of Tamil Nadu***] reported in ***2015 (5) LW 397***. As regards ***T.K. Shanmugam*** principle, relevant paragraphs are sub sub-paragraphs (i) to (iii) of subparagraph (f) of paragraph 15 and the same reads as follows:

> *'15.Certain provisions of Tank Act namely, Sections 4 to 10 were challenged in a Writ Petition with a prayer to declare those provisions as null and void and contrary to Article 14 of the Constitution of India on the ground that those provisions confer upon the executive, unguided and uncanalised discretionary power, since they denied to the persons aggrieved an opportunity of being heard. The said Writ petition was heard by a Division Bench to*

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which one of us (M.Sathyanarayanan,J.) was a party. The Division Bench took note of the various decisions including the decision in the case of Sivakasi Region Tax Payers Association (supra), disposed of the Writ Petitions without declaring the provisions of the Act as unconstitutional, since no opportunity is given and held that there is nothing in the Act which excludes the principles of natural justice, the Act (Tank Act) does not specifically indicate that the encroachers do not have right to be heard and issued the following directions vide judgment dated 10.02.2010, reported in 2010 3 MLJ 771.

(a) .....

(b) .....

(c) .....

(d) .....

(e) .....

(f) We uphold the Act, while we provide for observance of principles of natural justice within the Act itself, as under.

(i) When the officer of the Public Works Department publishes the notice in Form-II in the notice boards of the offices of Village Administrative Officer, Village Panchayat Office and the Water Resources Organization, notice shall also be issued to the alleged encroacher to the effect that the survey indicates that the place in his/her occupation is an encroachment and secondly, the notice in Form-III of the Rules may be issued.

(ii) On receipt of the said notice, the encroacher

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may give his/her objections relating to the classification of the land in his/her occupation and the nature of the encroachment within a period of two weeks.

(iii) Thereafter, the authorities shall consider the objections and pass appropriate orders, in accordance with the provisions of the Act, giving time to the encroachers to remove the encroachment.'

To be noted, ***T.K.Shanmugam*** reiterates ***T.S.Senthil Kumar*** principle [***T.S.Senthil Kumar Vs. Government of Tamil Nadu*** reported in ***(2010) 3 MLJ 771***] rendered by Hon'ble Coordinate coequal Division Bench.

5. The above means that the alleged encroacher/s will be put on notice/show caused, given an opportunity and action will be subject to and depending on cause shown / response of noticee/s. Therefore, captioned main WP is taken up with the consent of learned counsel for writ petitioner and State counsel. Though obvious, it is made clear that this order does not touch upon the rights of noticee/s under the Tanks Act. This means that all the rights and contentions of noticee/s stand preserved for responding suitably when show caused / visited with notices. Though obvious, for the sake of specificity, it is clarified that this Court, in instant order, has not expressed any view or opinion one way or the other regarding alleged

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encroachment qua said water body.

6.In the light of the narrative thus far, captioned main WP is disposed of in the aforesaid manner, recording the stated position of learned State counsel that survey will be done within a period of four weeks from today, i.e., on or before 30.06.2025 and action if any, under the Tanks Act will be commenced as expeditiously as the business of official respondents would permit but in any event within a period of four weeks therefrom i.e., on or before 28.07.2025. There shall be no order as to costs.

(M.S.,J.) **(H.C.,J.)**

02.06.2025

Index : Yes / No
Neutral Citation : Yes / No
Speaking / Non-speaking
mk

To

1. The District Collector
   Thiruvallur District.
2. The Thasildar
   Poonamallee Taluk, Thiruvallur.
3. The Executive Engineer
   Office of the Executive Engineer
   Public Works Department
   Thiruvallur.
4. The Block Development Officer
   Poonamallee Block Development Office
   Poonamallee, Thiruvallur District.

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M.SUNDAR, J.,
and
HEMANT CHANDANGOUDAR, J.,

mk

W.P.No.17685 of 2025

02.06.2025

https://www.mhc.tn.gov.in/judis


GPS Map Camera
Chennai,Tamil Nadu,India
Agarmel village, Poonamallee Taluk, Thiruvallur
District, Chennai, Tamil Nadu , India
Lat 13.034064, Long 80.080454
04/21/2025 01:37 PM GMT+05:30
Note : Captured by GPS Map Camera
Maps







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Property Documentation & Workflow Tools

Forms & Templates, Document Generator, Document Translation, Dictionary

Vastu & Property Management Tools

Home Vastu Shastra, Plot Vastu Shastra, Property Management

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We're honored to be part of your real estate journey

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