

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 (C) No(s).5081/2020

[Arising out of impugned final judgment and order dated 04-02-2020 in WP No.21651/2019 passed by the High Court of Judicature at Madras]

MUTHAMIL HOTEL & ORS.

Petitioner(s)

VERSUS

LION G. DEVARAJAN & ORS.

Respondent(s)

(IA No. 34680/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 34684/2020 - EXEMPTION FROM FILING O.T., IA No.137874/2021 - EXEMPTION FROM FILING O.T., IA No. 34682/2020 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES
IA No. 4106/2022 - VACATING STAY)

WITH

SLP(C) No. 5548/2020 (XII)

(IA No. 36700/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 36702/2020 - EXEMPTION FROM FILING O.T., IA No.137894/2021 - EXEMPTION FROM FILING O.T., IA No. 36701/2020 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 18-12-2024 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE UJJAL BHUYAN

For Petitioner(s) Mr. B. Karunakaran, AOR
Mr. Ajith Williyam S, Adv.
Mr. P Shankar, Adv.

For Respondent(s) Respondent-in-person

Mr. Amit Anand Tiwari, Sr. A.A.G.
Mr. Sabarish Subramanian, AOR
Mr. C Kranthi Kumar, Adv.
Ms. Devyani Gupta, Adv.
Mr. Vishnu Unnikrishnan, Adv.
Ms. Saushriya Havelia A, Adv.
Ms. Tanvi Anand, Adv.
Ms. Arjoo Rawat, Adv.
Mr. Danish Saifi, Adv.

Mr. Sudarshan Lamba, AOR

Mr. K.M. Nataraj, A.S.G.
Mr. Shibashish Mishra, Adv.
Mr. Anmol Chandan, Adv.
Mr. B.k Satija, Adv.
Mr. Chandra Prakash, Adv.
Mr. Mayank Pandey, Adv.
Mrs. Noor Rampal, Adv.
Mr. Amrish Kumar, AOR

Mr. Jaideep Gupta, Sr. Adv.
Mr. D. Kumanan, AOR
Ms. Deepa S, Adv.
Mr. Sheikh F Kalia, Adv.
Mr. Veshal Tyagi, Adv.
Mr. Chinmay Anand Panigrahi, Adv.

UPON hearing the counsel the Court made the following
O R D E R

1. Heard learned counsel for the petitioners, respondent no.1 in-person, Mr. Jaideep Gupta, learned senior counsel for respondent nos.8 to 10, learned senior counsel for respondent nos.2 & 5, and learned counsel for respondent no.6 and perused the record.
2. In our considered view, no case to interfere with the impugned order dated 04.02.2020 passed by the Division Bench of the Madras High Court in exercise of its PIL jurisdiction is made out, especially in view of the categorical stand taken by the official respondents that the subject-land vests in Railway and that part of the encroachment has been removed.
3. In all fairness, learned counsel for the petitioners states that civil suit bearing O.S. No.5439/2012, filed by him, claiming ownership rights over a part of the land is still pending, in which Railways is also a party-defendant.
4. That being so, it is clarified that the said civil suit shall be decided as per its own merits.
5. In the interest of justice, the petitioners are granted three

months' time to vacate the land under their occupation without prejudice to their rights in the pending civil suit.

6. The special leave petitions are, accordingly, dismissed.

7. All pending applications, if any, also stand disposed of.

(ARJUN BISHT)
ASTT. REGISTRAR-cum-PS

(PREETHI T.C.)
ASSISTANT REGISTRAR