

IN THE HON'BLE NATIONAL GREEN TRIBUNAL AT CHENNAI (SZ)

O.A.No. 150 of 2021

IN THE MATTER OF: -

Mr.N.S.Srinivasan
S/o. Late Mr.P.N.Shanmugham
G-61, 12th Block, Anna Nagar,
Chennai 600 102.
e.mail: accountsspnc@yahoo.com
and 3 Others

... Applicant

VERSUS

M/s. Khivraj Tech Park Private Limited
No.1, SIDCO Industrial Estate,
Guindy, Chennai 600 032.
Rep. by its Director Mr. Ajit Kumar Chordia
e.mail: infoadmin@olympiagroup.in
and 12 Others

... Respondents

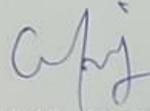
**REPLY FILED BY THE RESPONDENTS 1 TO 5 WITH
LIST OF DOCUMENTS**

S.No.	DATE	DESCRIPTION OF DOCUMENTS	ANNEXURES	PAGE No.
1	14.09.2021	Reply filed by the respondents 1 to 5		1
2	14.09.2021	Reply to the Report filed by the Joint Committee		12
3	006.11.2013	Order in C.R.P.(PD).No. 443 of 2011 & M.P.Nos. 1 and 2 of 2011 passed by the Hon'ble High Court of Madras	A1	16
4	31.03.2021	Letter of Resignation by Navartanmull Chordia as Chairman and Director	A2	36
5	09.06.2021	Resolution passed by the Board of Directors effecting the resignation of Navratanmull Chordia	A3	37
6	24.07.2021	Certificate issued by the Tahsildar, Tiruporur Taluk (with translation copy)	A4	38

7	13.08.2021	Copy of the sketch with translated observation made by the Joint Committee	A5	40
8	14.09.2021	2002 - Google Satellite Image	A6	42
9	14.09.2021	2005 - Google Satellite Image	A7	43
10	14.09.2021	2008 - Google Satellite Image	A8	44
11	14.09.2021	Sketch filed by the Respondents 1 to 5 along with its zoomed image	A9	45

Certified that the above are true copies of the originals.

Dated at Chennai this the 11th day of September 2021.



COUNSEL FOR RESPONDENTS 1 to 5

IN THE NATIONAL GREEN TRIBUNALAT CHENNAI (SZ)

O.A.No. 150 of 2021

IN THE MATTER OF: -

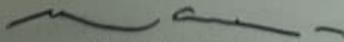
1. Mr.N.S.Srinivasan
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... Applicants

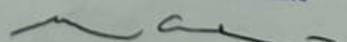
-VERSUS-

1. M/s. Khivraj Tech Park Private Limited
No.1, SIDCO Industrial Estate,
Guindy, Chennai 600 032.
Rep. by its Director Mr. Ajit Kumar Chordia
e.mail: infoadmin@olympiagroup.in
2. M/s.Olympia Tech Park(Chennai) Private Limited
No.1, SIDCO Industrial Estate,
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Rep. by its Director Mr. Ajit Kumar Chordia
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3. Chandrakant Kankaria
Whole Time Director
M/s. Khivraj Tech Park Private Limited &
M/s.Olympia Tech Park(Chennai) Private Limited
No.1, SIDCO Industrial Estate,
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For Khivraj Tech Park Private Limited

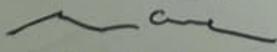

Whole-Time Director

For Olympia Tech Park (Chennai) Private Limited


Whole-Time Director

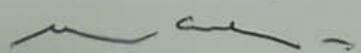
- 2
4. Mr. Ajit Kumar Chordia
Director in
M/s. Khivraj Tech Park Private Limited &
M/s.Olympia Tech Park(Chennai) Private Limited
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Department of Environment, Climate Change
And Forest Department,
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 10. The Revenue Divisional Officer
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e.mail: rdocpt.tnkpm@nic.in
 11. The Tahsildar
Thiruporur Taluk
Office of the Thasildhar
Thiruporur, Chengalpattu District
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Rep by Its President
Rajiv Gandhi Road (Old Mahabalipuram Road)
Navallur 603 103, Thiruporur Taluk
Chengalpattu District
e.mail: bdotprkpm@gmail.com

For Khivraj Tech Park Private Limited



Whole-Time Director

For Olympia Tech Park (Chennai) Private Limited



Whole-Time Director

13. Tamil Nadu Pollution Control Board
76, Mount Salai, Guindy,
Chennai – 600 032
e.mail: tnpcb-chn@gov.in

... Respondents

3

REPLY FILED BY THE RESPONDENTS 1 TO 5

I, Chandrakant Kankaria, S/o. Binod Chand Kankaria, the 3rd respondent herein and the director of the 1st and 2nd respondents, do hereby solemnly affirm and sincerely state as follows:

1. I am the third respondent, and I am filing this reply on behalf of the 1st, 2nd, 4th and 5th respondents.
2. I submit that the fifth respondent was not aware of or involved in the day to day administration of the company and he has resigned from the company in March, 2021.

3. Development of the Project by Respondents 1 and 2 with the lands owned by the Applicants:

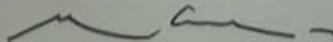
The respondents submit that the above named applicants (who owned 15.86 acres) and the other two landowner (who owned 3.12 acres) and 3.20 acres respectively approached the second respondent in the year 2011 for Joint Development of their lands by constructing villas therein. The lands comprised in various survey numbers are situated in Navalur and Egattur Village, Tiruporur Taluk, Chengalpet District.

3.1 The second respondent herein entered into a Joint Development Agreement on 18.05.2011 with them for the villa project named as "OLYMPIA PANACHE". The second respondent commenced the construction of the villas in the year 2011 and completed the same in the year 2015. Thus, the project was developed by the respondents at the instance of the applicants.

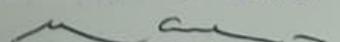
3.2 The respondents submit that adjacent to the project of "Olympia Panache", the first respondent separately purchased the lands measuring 3.61 acres in Navalur Village and the first respondent constructed a school building through the second respondent, and the school as "Kids School" is functioning since August 2018.

For Khivraj Tech Park Private Limited

For Olympia Tech Park (Chennai) Private Limited



Whole-Time Director



Whole-Time Director

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3.3 Thus, the villa project was developed in the land measuring an extent of 22 acres 18 cents, jointly owned by the applicants, the third party and 1st respondent and the Kids school was developed by the 1st respondent in the adjacent land measuring an extent of 3.61 acres.

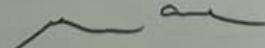
The respondents submit that on the western side of the "Kids School", there is a pond comprised in Survey No.45/1, Navalur Village. The bund on the southern side of the pond terminates at the south-western boundary of the "Kids School". The said bund was used as a passage by the villagers from time immemorial to reach their agricultural lands in the adjoining areas. The Google Satellite Images of the years 2002, 2005 and 2008 annexed with this reply would show the same. After the "Kids School" started functioning from August, 2018, the said bund on the southern side of the pond is being used as a passage by the school going children, their parents and the staff of the school. Thus, there is no creation of a passage, but merely using the existing passage. The respondents herein have only cement topped the passage to facilitate easy mobility for the school going children. The applicants herein are in no way affected by the usage of the bund as a passage by the school children. On the other hand, it is only beneficial to the public.

4. The Relief prayed by the Applicants:

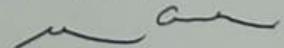
The respondents submit that the Application has been filed by the above named four applicants, alleging encroachment of the pond (kuttai in Tamil) by the first and second respondents in Survey No.45/1, Navalur Village, Thiruporur Taluk, Chengalpet District, while connecting the villa project namely "Olympia Panache" and the "Kids School".

5. At the outset, the respondents submit that there is no encroachment of the pond by these respondents in any manner and the pond is intact. There are two bunds, running east to west, one in the middle of the pond and other one in the southern side of the pond and they are vested with the Navalur Village Panchayat. The bund on the southern side of the pond was used as a passage from time immemorial and

For Khivraj Tech Park Private Limited


 Whole-Time Director

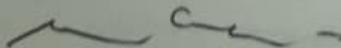
For Olympia Tech Park (Chennai) Private Limited


 Whole-Time Director

hence the villagers had the right of way. The said passage terminates with the southwest boundary of the school, and hence it is now being used only by the school going children, their parents, and staff of the school.

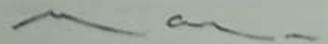
6. It is relevant to mention that from the Old Mahabalipuram Road (OMR), the villas in the project have an independent access. Similarly, the "Kids School" has an independent access on its northern side to the panchayat road, leading to Old Mahabalipuram Road (OMR). Both the residential villas as well as the school have been constructed on the patta lands and there is absolutely no occasion or necessity for the respondents to encroach the pond as alleged or at all.
7. The respondents submit that during the year 2019, the applicants herein started demanding money by making false and baseless allegations against this respondent and even questioning the sale transactions made by the respondents. Hence, in order to put a quietus to the issue, the respondents entered into a settlement with the applicants, vide Memorandum of Understanding dated 10.07.2020. The respondents paid Rs.3.75 crores and the applicants herein confirmed the execution of all the Sale Deeds executed in favour of the Project Customers as valid and also withdrew the notices issued by them. Further, the Power of Attorney, coupled with interest, was executed on 30.07.2020 (Document No.6533 of 2020) by the applicants in favour of the first respondent. Subsequently based on the said Power of Attorney, the first respondent executed a Sale Deed dated 28.08.2020(Document No.7643 of 2020). However, to the shock of the first respondent, the applicants revoked the power of attorney on their own on 30.10.2020 and also questioned the Sale Deed dated 28.08.2020 by filing a suit in O.S.No. 266 of 2021 before the Civil (Mahila) Court in Chengalpattu.The suit is a vexatious suit and hence the respondents are defending the same appropriately in accordance with the law. In the meanwhile, since the respondents herein did not succumb to the threatening tactics, the applicants have filed the instant original application No.150 of 2021 before this Hon'ble Tribunal making a blatant and false allegation that these respondents have encroached the pond,by referring to the usage of the passage, even

For Khirraj Tech Park Private Limited



Whole-Time Director

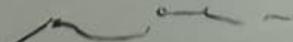
For Olympia Tech Park (Chennai) Private Limited



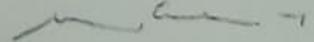
Whole-Time Director

- though they were aware of the construction of the school which started in the year 2016 and that the same is already being used by the children of the "Kids School", since 2018.
8. The respondents further bring to the notice of this Hon'ble Tribunal that in Mambakkam Village Panchayat, which is also situated in Tiruporur Taluk, Chengalpattu District, the land in Survey No.47, which is on the banks of 'Natham pond' was permitted by the Village Panchayat and Tahsildar to be used as a road by the public. The same was challenged by some of the villagers, by filing a civil suit in O.S.No.14 of 2011 before the Additional Sub-Court in Chengalpet. Subsequently, a Civil Revision Petition No. 443 of 2011 was filed under Article 227 of the Constitution of India before the Hon'ble Madras High Court to strike off the plaint. The Hon'ble High Court impleaded the Government of Tamil Nadu as a necessary party and by including the Secretary to Government, Rural Development and Local Administration and the Collector of Chengalpattu as parties.
9. The learned Advocate General, representing the Government of Tamil Nadu and District Collector, Kanchipuram submitted that there was a mud road on the banks of pond which was used by the villagers and general public and if a pucca tar road is formed, it would be beneficial to the public. The learned Advocate General further submitted that the laying of the road and its usage would be subject to the conditions that the petitioner should not claim any right over the road and the road should be formed as per the specifications. In the light of the clear stand of the Government, the Hon'ble High Court, vide its order dated 06.11.2013, held that the challenge made by the plaintiff in the suit is not sustainable. Hence, the tar road was permitted to be laid and used on the banks of the Natham Pond in Mambakkam Village.
10. In the instant case, the southern side bund of the pond which was earlier used as a passage/footpath/riding path from time immemorial by the villagers locally is now being used as an access by the school going children, parents, and staff of the "Kids School". The first applicant himself sold his share of land in Survey No.42/3B measuring 15.8 cents, vide Sale Deed dated 08.06.2015 (Document No: 7480 of

For Khivraj Tech Park Private Limited


Whole-Time Director

For Olympia Tech Park (Chennai) Private Limited


Whole-Time Director

2015) which was done for providing access to the school on its northern side to the Panchayat Road. Thus, the applicants were aware of the functioning of the school since the year 2018 and the usage of the passage on the southern side of the pond by the school children from the villas and the nearby areas. However, since the applicants suddenly started raising it as an issue in the end of 2020, the respondents approached the Tahsildar, Thiruporur, who issued a certificate dated 24.07.2021, confirming that the southern side bund of the pond can be used as an approach road by the school going children and their parents. Hence, there is no encroachment of any kind whatsoever in the access being used to reach the "Kids School".

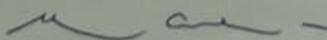
11. In view of the facts submitted above, the respondents submit that the application filed, alleging encroachment of the pond is wholly misconceived, ill-motivated and liable to be dismissed. The respondents further deny all the averments that are made except those that are specifically admitted herein.

12. Without prejudice to the above, with regard to the averments made in the Application, the respondents submit as follows:

12.1 With regard to the averments made in para 1& 2 by the Applicants, the respondents submit that the lands comprised in various Survey Numbers in Navalur and Egattur Villages measuring an extent of the 22.18 Acres, owned by the applicants, third party and the first respondent were developed for construction of villas in the project named "Olympia Panache", pursuant to Joint Development Agreement dated 18.05.2011 by the Second Respondent herein. The land comprised in Survey No.45/2A and 45/2B were also offered for development by the applicants and the same was gifted to Navalur Panchayat as OSR area.

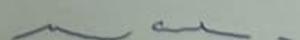
12.2 With regard to the averments in para 3 to 10, these respondents submit that the challenge made to the proposal to construct the Sewage Treatment Plant on an extent of 2.75 acres in the area where the pond is located, the filing of the

For Knivraj Tech Park Private Limited



Whole-Time Director

For Olympia Tech Park (Chennai) Private Limited



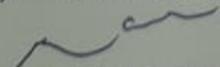
Whole-Time Director

writ petition in W.P.No.20178 of 2010 before the Hon'ble High Court of Madras and filing Special Leave Petition(Civil) 30758 of 2010 and the final disposal by the Division Bench of the Hon'ble High Court are matters of record.

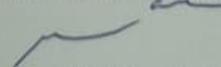
12.3 With regard to the averments in the para 11 to 14, the respondents submit that all the three set of landowners (applicants, third party and the first respondent) agreed to reconstitute their land for development, including the construction of a school. The averments of the applicants that the first respondent misused the General Power of Attorney dated 10.07.2020 (Document No.6533 of 2020) is mischievous and baseless. The execution of the Sale Deed dated 27.08.2020(Document No.7643 of 2020) was valid and binding on the applicants. It was done consisting with the understanding and settlement reached with the applicants in the Memorandum of Understanding dated 10.07.2020, where in there is specific reference to the school and the fact the Developer is entitled to reconstitute the property for it. Hence, it is not correct to state that the school is not part of the development. Further, the General Power of Attorney dated 10.07.2020 was coupled with interest and Clause 4(g) specifically empowered the Attorney to do all other acts, deeds, matters and things as may be necessary or required for the development of the said property, including reconstitution of the Property along with the adjoining lands, transfer of approvals and/or sanctions pending and/or obtained by the PRINCIPALS(Applicants) herein. However, since the applicants have chosen to file a Civil Suit, the respondents would appropriately defend the same.

12.4 With regard to para no.15, the respondents submit that the first applicant namely N.S.Srinivasan claimed ownership of 0.06 acres in Survey No.45/2A and 0.06 acres in Survey No.45/2B by producing a 23.06.1983 (D.No.2191/1983) Sale

For Khivraj Tech Park Private Limited


Whole-Time Director

For Olympia Tech Park (Chennai) Private Limited


Whole-Time Director

Deed and Patta bearing No.90, offered the same for joint development. The said land comprised in Survey Nos.45/2A and 45/2B were gifted as OSR land, wherein a basketball court was developed which is permissible in the OSR area.

- 12.5 With regard to para 16, 17 & 18, the first respondent purchased lands measuring an extent of 3.61 acres comprised in Survey Nos.42/3A, 43/2B, 48/1A, 48/1B, 48/1C1, 48/1C2, 48/2A, 49/1 and 50/1 in Navalur Village and the second respondent commenced the construction of a school in the year 2016 and completed the same in the year 2018.
- 12.6 The respondents deny the averments that they were not aware of the ownership and management of the Kids School. The applicants themselves have admitted that the first respondent purchased an extent of 28 cents comprised in Survey No.42/3B, under Sale Deed dt. 08.06.2015 (Document No.7479 & 7480 of 2015) for the purpose of giving access to the Kids School, to the panchayat road on the northern side of the school leading to the Old Mahabalipuram Road.
- 12.7 The respondents further submit that the school was developed primarily for providing quality education to the children in the villa community and the children of the nearby areas. The respondents further submit that though the school has an approach on the northern side to reach the Old Mahabalipuram road, since the said road is narrow, in case of emergency like fire or health emergency, the access on the southern side came in handy as an additional access. However, for easy mobility of the children, it was thought fit to cement top the southern side bund of the pond. As a result, the ingress to the school is through the southern side passage and the exit is through the northern side which ensures smooth flow of traffic. Such an arrangement was made keeping in view the interests of the children, parents and the staff and there is absolutely no encroachment of the

For Kshirraj Tech Park Private Limited

For Olympia Tech Park (Chennai) Private Limited

Whole-Time Director

Whole-Time Director

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pond. Further the sketch filed by the applicants in Annexure 20 does not reflect the correct position on the ground.

- 12.8 With regard to para 19 to 23, the respondents submit that the pond is intact and there is absolutely no encroachment of pond in Survey No.45/1. In fact, the pond has two bunds, one running east to west in the middle of the pond and the other one in the southern side of the pond. The construction of the compound wall on the western side of the school is only to protect its boundary and is in the interest of the safety of the children. Hence, the question of demolition of the said compound wall does not arise for consideration.
- 12.9 The respondents further submit that, the usage of southern side bund as a passage would not in any way affect the storage capacity of pond or its water quality. Further, it would in no way clog the water body and free flow of water during the rains. Hence, the allegation of the applicants that there is encroachment in the pond is completely false and the further allegation that it has caused damage to the environment is also false and baseless. The southern side bund is land locked between the pond, villas, and the Kids School, and hence the usage of the same as a passage to the school, by the school going children from the villa and adjacent areas cannot be found fault with in any manner. Hence, the application filed by the Applicant questioning the same is with ulterior motive and to pressurize the respondents to come to terms with the applicants for the imaginary and fictitious claims made by them before the Civil (Mahila) Court, Chengalpattu.
- 12.10 With regard to the averments in para no.24, the respondents submit that the applicants themselves have admitted that the lands in Survey Nos.45/2A and 45/2B are owned by the first applicant and that it was also part of the joint development. The said land was earmarked and gifted as OSR area, where

For Khivraj Tech Park Private Limited

Whole-Time Director

For Olympia Tech Park (Chennai) Private Limited

Whole-Time Director

the basketball court is established which is permissible in that area. The respondents submit that if it is shown that it is an encroachment, the applicants have to blame themselves and not to foist the responsibility on the respondents.

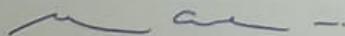
12.11 The averments made in paras 25 and 26 are wholly irrelevant to the facts of the case and the allegation made against these respondents are firmly denied as false and baseless.

12.12 With regard to para 27 & 28, the respondents submit that the fifth respondent namely who was the Chairman of the second respondent company, resigned from the company in March 2021 and as such the fifth respondent is not a necessary party / respondent in the above application.

13. The respondents therefore submit that the filing of the application before this Hon'ble Tribunal is clearly an abuse of process of law and for personal aggrandizement. The application completely lacks bonafide particularly when the pond is intact and that the subject passage, which is vested with the Navalur Village Panchayat is being used only by the school going children and their parents.

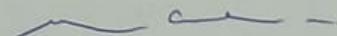
Hence, it is prayed that this Hon'ble Tribunal may be pleased to dismiss the Application as devoid of merits and pass such further orders as this Hon'ble Tribunal may seem fit in the circumstances of the case and thus render justice.

For Khivraj Tech Park Private Limited



Whole-Time Director

For Olympia Tech Park (Chennai) Private Limited



Whole-Time Director

Solemnly affirmed at Chennai and
Signed his name in my presence
on this the 11th day of September 2021.

BEFORE ME,

14/9/2021
M. BASHEERAN

ADVOCATE: CHENNAI

O.A.No. 150 of 2021

Mr.N.S.Srinivasan, Chennai
and three others

... Applicants

-VERSUS-

M/s. Khivraj Tech Park Private Limited
and 12 others.

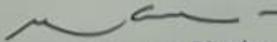
... Respondents

REPLY TO THE REPORT OF THE JOINT COMMITTEE & REVENUE
AUTHORITY, CHENGALPATTU

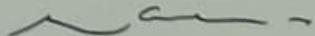
I Chandrakant Kankaria, S/o Binod Chand Kankaria, the third Respondent herein and the Director of the 1st and 2nd respondents, do hereby solemnly affirm and sincerely state as follows:

1. I am the 3rd respondent herein, and I am filing this reply on my behalf and on behalf of the 1st, 2nd, 4th and 5th respondents.
2. The respondents submit that pursuant to the order of this Hon'ble Tribunal dated 19.07.2021 in O.A.No.150 of 2021, the Joint Committee, comprising The Revenue Divisional Officer- Chengalpattu, The Block Development Officer-Tiruporur and The District Environmental Engineer, Tamilnadu Pollution Control Board, M.M.Nagar visited the site on 12.08.2021 and filed the report before this Hon'ble Tribunal.
3. The report has been filed along with a combined Sketch (Annexure 11 of the Report) showing the details of the S.No.45/1, Navalur Village, Tiruporur Taluk, pointing out the following issues:

For Khivraj Tech Park Private Limited


Whole-Time Director

For Olympia Tech Park (Chennai) Private Limited


Whole-Time Director

I. An extent of 803 Sq.mtrs, where the existing passage / road is being used by school children.

The respondents submit that this area is the southern bund of the pond (running east to west) and terminates at the southwestern boundary of the 'Kids School'. The bund was used as a passage for time immemorial by the local villagers to reach the adjoining agricultural lands. After purchase of the lands and construction of the "Kids school", since the bund/passage terminates on the southwest boundary of the school, it is being currently used by the school children, their parents, and staff of the school.

The 'Kids School' has got an access on the northwestern side to the village panchayat road, leading to Old Mahabalipuram Road. The southern side passage/road is being used as an additional passage for easy mobility. The respondents submit since the passage is now used by the school children, the respondents cement topped the passage and the same rests with the Navalur village panchayat only. In fact, since the applicants raised the issue suddenly in the year 2020, the respondents approached The Tahsildar, Tiruporur Taluk, who issued a certificate dated 24.07.2021 confirming that the passage/road is being permitted to be used as an approach road to the school by the school going children and parents.

II. An extent of 108 Sq.mtrs. in Survey No.45/2A and 45/2B, forms part of Survey No.45/1.

The first applicant claimed to be the owner of this area, comprised in Survey Nos.45/2A & 45/2B, Navalur based on the Sale Deed and the Patta No.90 (annexed with the Joint Committee's Report), and the applicants offered the same for development. The respondents, while developing the property, gifted this area as OSR area and have put up a basketball court, which is a permissible activity there.

For Khivraj Tech Park Private Limited

Whole-Time Director

For Olympia Tech Park (Chennai) Private Limited

Whole-Time Director

III. An extent of 108 Sq.mtrs which is located on the Southern side of the existing passage / road to the school and the Northern side of the villa project.

This area is between the northern boundary of the villas and the existing passage/road on the southern side of the pond and northern boundary and villas. The respondents herein never claimed ownership over this land but since this area is landlocked and is a small area, this is lying vacant and cannot be used by any person including the respondents for any purpose.

IV. An extent of 0455 Sq.mtrs where the panchayat has laid a road for the villagers to reach the burial ground (from Old Mahabalipuram Road).

This area is where the village panchayat has laid the road, which starts from Old Mahabalipuram Road and reaches the burial ground. The road is named as Sardar Patel Road (also called as Burial Ground Road- Mayana Padhai in Tamil) and the Kids school's northern side access is through this panchayat road only.

V. An extent of 2050 Sq.mtrs which is in occupation of houses.

The respondents are not concerned with this area.

4. The respondents submit that thus, in the development of entire extent of 22.18 acres, there is absolutely no encroachment whatsoever. There are two bunds, running east to west, one in the middle of the pond and one in the southern side of the pond. The subject passage on the southern side bund of the pond which was used as a passage for long terminates at the Southwestern boundary of the school and hence, the same is now being used by the school going children, their parents both from the villas and outside the villas. The passage / road is vested only with Navalur

Navraj Tech Park Private Limited

Whole-Time Director

for Olympia Tech Park (Chennai) Private Limited

Whole-Time Director

Village Panchayat, Tiruporur Taluk. Hence, there is no encroachment of the pond by the respondents and usage of the bund as a passage does not affect the storage capacity or the water quality in the pond.

Hence, it is prayed that this Hon'ble court may be pleased to dismiss the above O.A.150 of 2021 and thus render justice.

For Khivraj Tech Park Private Limited For Olympia Tech Park (Chennai) Private Limited

[Handwritten signature]

Whole-Time Director

[Handwritten signature]

Whole-Time Director

Solemnly affirmed at Chennai and Signed his name in my presence on this the 11th day of September 2021

ADVOCATE: CHENNAI

BEFORE ME,

[Handwritten signature]

M. Baskaran
1497/2007

Advocate Chennai

ANEXURE - 1

IN THE HIGH COURT OF JUDICATRE AT MADRAS

DATED: 06.11.2013

CORAM

THE HONOURABLE MR. JUSTICE S.TAMILVANAN

C.R.P.(PD).No.443 of 2011
& M.P.Nos.1 and 2 of 2011

S.R.Nanda Kishore

.. Petitioner / D3

vs.

1. The Body of Villagers of No.29,
Mambakkam village
Chengalpattu Taluk, represented by

(i) Mr.S.Lakshmipathy Naidu
S/o. Mr.Swami Naidu
No.1/83, Pillaiyar Koil Street,
Mambakkam Village & Post
(via) Vandalur, Chennai - 600 048,
Chengalpattu Taluk, Kancheepuram District.

(ii) Mr.G.Selvam
S/o.Mr.Gangadharan Naidu,
No.32, Perumal Koil Street,
Mambakkam Village & Post,
(via) Vandalur, Chennai - 600 048
Chengalpattu Taluk, Kancheepuram District.

(iii) Mr.S.Jaganathan
S/o. Mr.Srinivaslu Naidu,
No.77, Pillayar Koil Street,
Mambakkam Village & Post,
(via) Vandalur, Chennai - 600 048,
Chengalpattu Taluk,
Kancheepuram District.

... R1 / Plaintiff

2. No.29, Mambakkam Village panchayat
represented by its President,
Kelambakkam - Vandalur Post,
Mambakkam Village & Post,
(via) Vandalur, Chennai - 600 048,
Chengalpattu Taluk,
Kancheepuram District

3. M/s. V.J.S.Enterprises
represented by its Managing Partner,
Old No.1/155, New No.1/166,
Bharathiyar Street, Jalladanpet,
Pallikaranai, Chennai - 601 302.
4. T.Sathyavathy
5. Kumari R2 to R5 / D1, D2, D4 & D5
6. The State of Tamil Nadu
Rep. by Secretary to Government,
Rural Development & Local Administration,
Fort St. George,
Chennai - 600 009.
7. The District Collector
Kancheepuram.Respondents 6 & 7

(R6 & R7 impleaded as party
respondents vide order of the
Court, dated 19.09.2013 made
in M.P.No.1 of 2013 in
CRP (PD).No.443 of 2011)

Civil Revision Petition filed under Article 227 of the
Constitution of India, seeking an order to strike off the suit in
O.S.No.14 of 2011 on the file of the Addl. Sub-Court, Chengalpet.

For Petitioner : Mr.P.V.Muralidhar
For Respondents : Mr.C.Jagadish for R1
Mr.V.R.Sivaraman for R2
No appearance for R3 to R5
Mr.A.L.Somayaji, Advocate-General
for R6 and R7

ORDER

This Civil Revision has been preferred under Article 227 of
the Constitution of India, seeking an order to strike off the suit in
O.S.No.14 of 2011, pending on the file of the Additional Sub-Court,
Chengalpet.

2. The petitioner is the third defendant in the suit. The suit was filed by the first respondent in the name of the people of No.29, Mambakkam village, Chengalpet Taluk, represented by (1) Mr.S.Lakshmi pathi Naidu (2) Mr.G.Selvam and (3) Mr.S.Jaganathan against Mambakkam Village panchayat represented by its President, the petitioner herein and three others, seeking (1) for permanent injunction restraining the said defendants, their men, officials, contractors, agents and servants etc., from in any way converting the suit 'B' schedule property into a road; (2) for mandatory injunction directing the first defendant, Mambakkam village panchayat to maintain 'B' schedule property as part of "**Nallathaneer Kulam**" and for costs.

3. Admittedly, "B" schedule property is a Government poramboke land vested with the panchayat union, under the maintenance of Mambakkam village panchayat. The petitioner herein has averred in the grounds of the Revision that the suit was filed without getting permission, as required under Order 1 Rule 8 of the Code of Civil Procedure and further, it is stated that the suit is not legally maintainable.

4. Mr.P.V.Muralidhar, learned counsel appearing for the petitioner submitted that the three persons, claiming to be

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representative of body of Mambakkam village and filing the suit is against law and they have no *locus standi* to file the suit against the petitioner / defendant and the elected village panchayat President and others, however, they got *exparte* interim order, which is perverse, since the suit filed itself is an abuse of process of law. The petitioner / D3 has come forward with the revision petition, invoking Article 227 of the Constitution of India, seeking an order to struck off the suit, on the ground of abuse of process of law.

5. Learned counsel appearing for the Revision petitioner drew the attention of this Court to the copy of the proceeding, dated 10.07.2010 passed by the President and members of Mambakkam Panchayat Board. It has been communicated in the letter head of the President of Mambakkam panchayat, whereby it is informed by the President of Mambakkam village panchayat that the Panchayat Board has passed Resolution No.180, dated 10.07.2010, raising no objection to form a road for the public in S.No.47 of the village. The Tahsildar, Chengalpet, by his proceeding, dated 11.08.2010 has stated that the land in S.No.47 of Mambakkam village is on the banks of the Natham pond and that could be used as road by the public. It is seen that the same was also communicated to the petitioner / D3.

6. The authorisation letter, dated 12.01.2011 of the President of Mambakkam village panchayat and a copy of the letter sent by Tahsildar to the Block Development Officer, Thiruporur are also available in the typed set of papers. The panchayat President of Mambakkam has stated that the land in S.Nos.143/2, 143/3, 144/2 and 149 have been approved as house sites. In order to reach the said house sites, the land in S.No.47 of the said village could be used as road and the village panchayat has no objection for forming a 'Thar road'. As per the proceedings, dated 13.01.2011 in e/f/vz:/2659/09/M1. Block Development Officer, Thiruporur panchayat union has stated that the available mud road, on the banks of the village pond, available in S.No.47, village natham be converted into Thar road. However, the proceeding reads that the breadth of the road should not be less than 3.75 metres and the proceeding was also communicated to the revision petitioner.

7. Mr.P.V.Muralidhar, learned counsel appearing for the petitioner / D3 submitted that Thar road is properly being formed at the cost of the petitioner / D3 for the benefit of the entire villagers, including the plaintiff, the three villagers. As the village panchayat and the Panchayat union have no funds to form the road, permission was granted to the Revision petitioner to form the road at the cost of the petitioner. According to the learned counsel for

petitioner, due to some personal animosity and also seeking monitory consideration, the plaintiff filed the suit, without any locus standi, though the competent authority is only the elected village panchayat, Block Development Officer of the panchayat union, the Tahsildar and other Government authorities.

8. Per contra, Mr.C.Jagadish, learned counsel appearing for the first respondent / plaintiff submitted that the petitioner / D3 has taken steps only for the benefit of certain group of persons, who purchased house sites in the layout, formed by the Revision petitioner, hence, that would be detrimental to the interest of the general public. However, he has not disputed the fact that the suit property is a Government land vested with the panchayat union, maintained by Mambakkam panchayat and at present, the same is being used by the public as a mud Road.

9. Having considered the submissions made by the first respondent / plaintiff, since the land in S.No.47 of Mambakkam village is a Government poramboke, this Court held it reasonable to direct the petitioner / D3 to implead the Government of Tamil Nadu as a necessary party and as per the directions of this Court, Government of Tamil Nadu, represented by Secretary to Government, Rural Development and Local Administration, Chennai-

9 and the District Collector, Kancheepuram have been impleaded as 6th and 7th respondents respectively in this Revision.

10. Mr.A.L.Somayaji, learned Advocate-General appeared on behalf of the Government of Tamil Nadu and District Collector, Kancheepuram, the respondents 6 and 7 herein. As submitted by the learned Advocate-General already mud road is available in S.No.47, Mambakkam village, that is being used by villagers and the General public and if pukka Thar road is formed at the cost of the Revision petitioner, that may be beneficial to all the people. However, the learned Advocate-General contended that even after converting the mud Road into Thar road, the petitioner / D3 should not claim any right over the road and it should be the Government property and the road shall be formed properly, as per specification.

11. As per Order 1 Rule 8 of the Code of Civil Procedure, one or more persons may sue or defend on behalf of others having the same interest in the suit, for which permission shall be obtained from the Court. Order 1 Rule 8 (2) CPC reads as follows :

"The Court shall, in every case where a permission or direction is given under sub-rule (1), at the plaintiff's expense, give notice of the institution of the suit to all persons so interested, either by personal service, or, where, by reason

of the number of persons or any other cause, such service is not reasonably practicable, by public advertisement, as the Court in each case may direct."

12. As per sub-rule (3) of Order 1 Rule 8, any person on whose behalf or for whose benefit, a suit is instituted or defended, under sub-rule (1), may apply to the Court to be made a party to such suit.

13. In the instant case, according to the learned counsel appearing for the revision petitioner, the said mandatory provision was not complied with for instituting the suit in the representative capacity on behalf of the villagers of Mambakkam. It is seen from the material papers that the first respondent / plaintiff has not complied with the mandatory provision, as required under order 1 Rule 8 of the Code of Civil Procedure.

14. As admitted by both the parties, the suit property is a Government poramboke land, vested with the Panchayat union maintained by Mambakkam village panchayat. The village panchayat has passed a resolution, permitting to use the mud road as a public road and also for forming thar road. As per the resolution, dated 10.07.2010, the Panchayat Board has raised no

objection in forming a Thar Road. The Tahsildar, Chengalpet, by his proceeding, dated K:/K:/4957/2010/M1. dated 11.08.2010 has also made it clear that the mud road available in S.No.47 of the aforesaid village could be used as pathway and the proceeding was communicated to the revision petitioner.

15. As per the proceedings, dated 13.01.2011 made in e/f/vz;/2659/09/M1. Block Development Officer, Thiruporur panchayat union has permitted the revision petitioner to form thar road at the width not less than 3.75 metres and the letter was also marked to the revision petitioner.

16. Learned Advocate-General has expressed the view of the Government that Thar road could be formed at the expense of the revision petitioner, having a width of not less than 3.75 metres and the same shall be used by the public as a public road and that the petitioner / D3 could claim no independent right over the road in future.

17. In **K.K.Modi v. K.N.Modi**, reported in **AIR 1998 SC 1297**, the Hon'ble Apex Court has held as follows :

"43. The Supreme Court Practice 1995 published by Sweet & Maxwell in paragraph 18/19/33 (page 344) explains the phrase

"abuse of the process of the court" thus : This term connotes that the process of the court must be used bona fide and properly and must not be abused. The court will prevent improper use of its machinery and will in a proper case, summarily prevent its machinery from being used as a means of vexation and oppression in the process of litigation.... The categories of conduct rendering a claim frivolous, vexatious or an abuse of process are not closed but depend on all the relevant circumstances. And for this purpose considerations of public policy and the interests of justice may be very material."

As per the decision of the Hon'ble Apex Court, when there is a clear abuse of process of Court, in order to stop such a vexatious proceeding, this Court has got power, invoking superintending power of this Court, under Article 227 of the Constitution of India, to strike off the plaint. Following the same, this Court in **N.Babu v. S.Shanmugam & Others**, reported in **2013-1-LW 491**, held that though an alternative remedy was available, the Court is vested with the power of striking off the plaint, when there is a clear abuse of process of Court established for invoking Article 227 of the Constitution of India.

18. It was argued by the learned counsel for the first

respondent / plaintiff that the petitioner could have approached the trial Court, by filing petition under Order 7 Rule 11 of the Code of Civil Procedure to reject the plaint, however, directly the Revision has been preferred, invoking Article 227 of the Constitution of India. However, it cannot be disputed that speedy justice is a Fundamental Right, as contemplated under Article 21 of the Constitution. When there is abuse of process established, alternative remedy is not a bar. In this case, the suit property is a Government poramboke land, vested in the Panchayat union, maintained by the village panchayat Board, the said authorities have no objection in forming Thar Road by the Revision petitioner, without seeking any special right over the road, however, the first respondent /plaintiff, three individuals have filed the suit, without any locus standi to maintain the suit.

19. In **A.Venkatasubbiah Naidu v. S.Chellappan and ors.**, reported in **2008 SCC 695**, the Hon'ble Supreme Court held that when the party had other alternative remedies, they have to take recourse to those remedies, instead of invoking constitutional remedies. However, it has been ruled by the Hon'ble Apex Court in various decisions, that alternative remedies would not be a bar in preventing abuse of process of Court.

20. In **Surya Dev Rai v. Ram Chander Rai**, reported in

(2003) 6 SCC 657, the Hon'ble Apex Court has categorically held that the power of High Court under Article 227 thus :

"22. ... It is well settled that the power of superintendence so conferred on the High Court is administrative as well as judicial, and is capable of being invoked at the instance of any person aggrieved or may even be exercised suo motu. The paramount consideration behind vesting such wide power of superintendence in the High Court is paving the path of justice and removing any obstacles therein. The power under Article 227 is wider than the one conferred on the High Court by Article 226 in the sense that the power of superintendence is not subject to those technicalities of procedure or traditional fetters which are to be found in certiorari jurisdiction. Else the parameters invoking the exercise of power are almost similar."

21. The Hon'ble Apex Court made it clear that in exercise of supervisory jurisdiction, the High Court is empowered not only to quash or set aside any impugned proceeding, judgment or order but also to make such directions, on the facts and circumstances of each case and accordingly, this Court may also issue directions, by way of guiding the subordinate Court or Tribunal, to meet the ends of justice.

22. In **Arivandandam v. T.V.Satyapal**, reported in

(1977) 4 SCC 467, the Hon'ble Apex Court, while speaking through *Mr. Justice. V.R. Krishna Iyer*, has observed as follows :

"The pathology of litigative addiction ruins the poor of this country and the Bar has a role to cure this deleterious tendency of parties to launch frivolous and vexatious cases.

5. We have not the slightest hesitation in condemning the petitioner for the gross abuse of the process of the court repeatedly and unrepentently resorted to. From the statement of the facts found in the judgment of the High Court, it is perfectly plain that the suit now pending before the First Munsif's Court, Bangalore, is a flagrant misuse of the mercies of the law in receiving plaints. The learned Munsif must remember that if on a meaningful – not formal – reading of the plaint it is manifestly vexatious, and meritless, in the sense of not disclosing a clear right to sue, he should exercise his power under Order 7, Rule 11 CPC taking care to see that the ground mentioned therein is fulfilled. And, if clever drafting has created the illusion of a cause of action, nip it in the bud at the first hearing by examining the party searchingly under Order 10, CPC. An activist Judge is the answer to irresponsible law suits."

23. In *K.Modi v. K.N.Modi*, reported in (1998) 3 SCC

573, the Hon'ble Apex Court has held in paragraph number 44 as follows:

"44. ... The reagitation may or may not be barred as res judicata. But if the same issue is sought to be reagitated, it also amounts to an abuse of the process of the court. A proceeding being filed for a collateral purpose, or a spurious claim being made in litigation may also in a given set of facts amount to an abuse of the process of the court. Frivolous or vexatious proceedings may also amount to an abuse of the process of the court especially where the proceedings are absolutely groundless. The court then has the power to stop such proceedings summarily and prevent the time of the public and the court from being wasted."

24. In a notable decision, in **McIlkenny v. Chief Constable of West Midlands Police Force**, reported in **(1980) 2 All ER 227**, the **Court of appeal of England** struck out the pleading on the ground that the action was an abuse of the process of the court, since it raised an issue identical to that which had been finally determined at the plaintiffs' earlier criminal trial. The Court said even when it is not possible to strike out the plaint on the ground of issue estoppel, the action can be struck out as an abuse of the process of the court, since a party relitigate a question or issue, which has already been decided against him and the aforesaid

decision of the Court of Appeal of England was also referred to by the Hon'ble Supreme Court in the aforesaid decision.

25. It is a well settled law that the power under Article 227 of the Constitution of India, involves a duty on the part of the High Court to keep all Court within its jurisdictional bounds to prevent abuse of process of Court. This Court has got inherent jurisdiction under Article 227 of the Constitution to prevent abuse of process of Court and passing order to struck off plaint from the file of the Court, if it is a clear abuse of process of law and Court, as per the plaint averments and the relief sought for by the party seeking the relief.

26. As per Order 7 Rule 11 of the Code of Civil Procedure, if there is no cause of action in the plaint to seek the relief or when there is a statutory bar in maintaining the suit, the Court can order for rejection of the plaint. However, it is well settled that the Court has to decide the plaint under Order 7 Rule 11 CPC, based on the total averments made in the plaint and that cannot be decided, as per the defence raised in the written statement filed by the defendant.

27. It has been made clear by the Hon'ble Apex Court that for invoking Article 227 of the Constitution, to strike off the plaint,

there must be abuse of process of Court, as per the plaint averments and the admission made by the plaintiff, seeking the relief in the suit, otherwise this Court cannot pass such orders.

28. In the instant case, admittedly, the suit property is a Government poramboke land, being used as mud road by public. It is seen that the petitioner herein / third defendant had approached the concerned village panchayat, Block Development Officer and the Tahsildar, seeking permission for forming a Thar Road, by spending his own money for the convenience of the General public.

29. Having considered the representation made by the petitioner, Mambakkam village panchayat, represented by its President, passed a resolution raising "No objection" for the said proposal and was also approved by the concerned Block Development Officer and the Tahsildar, as per the copy of their proceedings available in the form of typed set of papers. As contended by the learned counsel appearing for the petitioner, it has been made clear that the suit property is only a poramboke land, being used as mud road by the public, however, the first respondent / plaintiff, has stated that it is a Nalathaneerkulam, in other words a pond. However, it is used by the public as mud road, as stated by the second respondent.

30. When the suit was filed against the elected village panchayat of Mambakkam village, three individuals of the said village cannot represent the entire village people and further, it is mandatory on the part of the plaintiff to follow the mandatory procedure, as contemplated under Order 1 Rule 8 of the Code of Civil Procedure. However, without obtaining leave from the Court below, the suit was filed by three individuals of the village, as if they represent the people of the village against the village panchayat, represented by its elected President.

31. Having considered the fact that the suit property belongs to the Government, the plaintiff could have impleaded the State, represented by its District Collector as a party. In the aforesaid circumstances, it has been made clear that there is no locus standi for the three individuals, stating themselves persons representing the village.

32. Mr.P.V.Muralidhar, learned counsel appearing for the petitioner argued that due to some personal animosity and also with a view to extract the money, the frivolous suit was filed by three individuals in the name of the villagers, even without getting the leave from the Court, as per the Code of Civil Procedure, hence,

filing the suit could be construed only as an abuse of process of law and Court.

33. Having considered the public importance and the fact that the suit property is a poramboke land belongs to the Government, this Court directed the revision petitioner herein to implead the Government of Tamil Nadu, as a party to the proceeding. Accordingly, the Government of Tamil Nadu represented by its Secretary to Government, Rural Development & Local Administration, Chennai and the District Collector, Kancheepuram have been impleaded as respondents 6 and 7. Learned Advocate-General, Mr.A.L.Somayaji, appeared before this Court for the respondents 6 and 7, submitted the view of the Government, in a responsible manner.

34. According to the learned Advocate-General, the Government have no objection in forming the road, as per the specification, by spending the money by the petitioner, without seeking any independent right over the road. In the aforesaid circumstances, it has been made clear that the road is being formed, as per the specification of the Government by the petitioner, out of his own money, without seeking any independent right over the road and therefore, it is clear that forming the road is

for the beneficial to the public at large.

35. Having considered the facts and circumstances, in the light of various decisions rendered by the Hon'ble Apex Court, referred to above, this Court is of the view that the revision preferred under Article 227 of the Constitution has to be allowed, to meet the ends of justice and to order to strike off the plaint in the suit in O.S.No.14 of 2011.

36. In the light of the submissions made by the learned Advocate-General of Tamil Nadu and also the fact that the first respondent / plaintiff has no *locus standi* and also the non-compliance of Order 1 Rule 8 CPC, this Court is of the view that the suit filed by the first respondent / plaintiff is not legally sustainable. In the light of various decisions rendered by the Hon'ble Apex Court and this Court, this Court is of the view that the revision preferred, invoking Article 227 of the Constitution of India has to be allowed, as the suit has been filed by the first respondent / plaintiff, without any *locus standi* and without following the mandatory procedure, known to law and accordingly, the same is liable to be struck off.

S.TAMILVANAN, J

tsvn

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37. In the result, this Civil Revision Petition is allowed and the suit filed by the first respondent / plaintiff is ordered to be struck off. Considering the view of the Government expressed by the learned Advocate-General, the revision petitioner is permitted to form the Thar road in S.No.47 in Mambakkam village, Kancheepuram District, as per specification of the Government for a width not less than 3.75 metres at the cost of the revision petitioner. It is also made clear that it is a public road belongs to the Government and the revision petitioner could claim no independent right over the same, even in future. Consequently, connected miscellaneous petitions are closed. However, no order as to costs.

06.11.2013

Index : Yes
Internet : Yes

tsvn

Note to Office :

Issue order copy on 18.11.2013.

To
The Additional Subordinate Court
Chengalpet.

**Order in
C.R.P.(PD).No.443 of 2011**

ANNEXURE - 2

36

Date: March 31, 2021

From:

Navaratnamull Chordia,
Old No.38, New No.4, A.B.M Avenue Boat Club,
RA Puram,
Chennai - 600 028

To:

The Board of Directors,
Olympia Tech Park (Chennai) Private Limited,
No.1 SIDCO Industrial Estate,
Gurumb,
Chennai - 600 032

Dear Sir

Sub: Resignation as Chairman and Director from Olympia Tech Park (Chennai) Private Limited

I, Navaratnamull Chordia (DIN: 00049499), hereby tender my resignation as Chairman and Director from Olympia Tech Park (Chennai) Private Limited due to my preoccupation.

Kindly accept this letter as my resignation with immediate effect and relieve me of my duties.

I request the board to acknowledge the receipt of the resignation letter and arrange to file necessary forms with the Office of Registrar of Companies to that effect.

I thank the board for the co-operation and support extended during my tenure.

Thanking You,

Yours Faithfully,


Navaratnamull Chordia

OLYMPIA TECH PARK (CHENNAI) PRIVATE LIMITED

CIN : U45206TN2013PTC090205

PAN : AABCOB102F GSTIN : 33AABCOB102F1ZX

Regd. Office : No. 1, SIDCO Industrial Estate, Guindy, Chennai - 600 032.

Phone : 044 4356 3773 / 4345 9600 E-mail : infoadmin@olympiagroup.in

CERTIFIED TRUE COPY OF THE RESOLUTION PASSED BY THE BOARD OF DIRECTORS OF OLYMPIA TECH PARK (CHENNAI) PRIVATE LIMITED AT THEIR MEETING HELD ON JUNE 09, 2021 AT NO.1 SIDCO INDUSTRIAL ESTATE, GUINDY, CHENNAI-600 032

TAKING NOTE OF THE RESIGNATION OF MR. NAVARATANMULLI CHORDIA (DIN: 00049499) CHAIRMAN AND DIRECTOR OF THE COMPANY:-

"RESOLVED THAT pursuant to Section 168 of the Companies Act, 2013 read with the Companies (Appointment and Qualification of Directors) Rules, 2014 the notice of resignation dated March 31, 2021 received from Mr. Navaratannull Chordia (DIN: 00049499) Chairman and Director of the Company be and is hereby noted and accepted by the board with effect from March 31, 2021.

RESOLVED FURTHER THAT the Board of Directors of the Company be and are hereby severally authorised to do all such acts, deeds and things as may deem necessary to give effect to the above resolution, including signing and filing of necessary form with the Registrar of Companies as required under the Companies Act, 2013."

//certified true copy//

For Olympia Tech Park (Chennai) Private Limited


Ajit Kumar Chordia
Director
DIN: 00049366

ANNEXURE-4

மூ.மு.984/2021/அ1
நாள்.04.07.2021

வட்டாட்சியர் அலுவலகம்
திருப்பேரூர்

சான்று

செய்கல்பட்டு மாவட்டம் திருப்பேரூர் வட்டம் நெ.10, நாவலூர் கிராமம் புல எண். 45/1-ல் " KC High School (kids Central High School)" என்ற பள்ளி குட்டைக்கரையில் உள்ள சிமெண்ட் சாலையினை பயன்படுத்திக்கொள்ள அனுமதி கோரி Khivraj Tech Park Private Limited என்ற நிறுவனம் மனு செய்துள்ளனர்

திருப்பேரூர் வட்டம், நெ.10, நாவலூர் கிராமம் புலஎண்.45/1, விஸ்தீரணம் 1.37.5 ஹெக்டேர் அரசு புறம்போக்கு "குட்டை" என கிராம கணக்குகளில் தாக்கலாகியுள்ளது. மனுதாரருக்கு மேற்கண்ட புலஎண்ணிற்கு அருகில் உள்ள புல எண்கள் 42/3A, 42/3B, 49/1, 43/2B, 48/1A, 48/1B, 48/1C1, 48/1C2, 48/2A மற்றும் 50/1 ஆகியவற்றின் பட்டா "Khivraj Tech Park Private Limited" என்ற பெயரில் தாக்கலாகியுள்ளது. புலஎண்.45/1-ல் உள்ள குட்டைக்கரையில் தெற்கு பக்கமாக அமைந்துள்ள சிமெண்ட் சாலையை இங்குள்ள KC High School (kids Central High School) பள்ளி மாணவ மாணவியர்கள் மற்றும் பெற்றோர்கள் வந்து செல்லும் சாலையாக பயன்படுத்தி வருகின்றனர். மேலும் இந்த சிமெண்ட் சாலையால் பொது மக்களுக்கு எவ்வித இடையூறும் இல்லை என்பதால் புலஎண். 45/1-ல் உள்ள குட்டைக்கரையில் உள்ள சிமெண்ட் சாலையினை குழந்தைகள் மற்றும் பெற்றோர்கள் தற்காலிக அணுகுபாதையாக பயன்படுத்திக்கொள்ள சான்றளிக்கப்படுகிறது.

குறிப்பு : இச்சான்று மேற்படி பள்ளி மாணவ மாணவியர்கள் மற்றும் பெற்றோர்கள் வந்து செல்லும் சாலையாக பயன்பட்டிற்காக மட்டும் வழங்கப்படுகிறது.

பெறுநர்

Khivraj Tech Park Private Limited
No.01, SIDCO Industrial Estate,
Guindy, Chennai - 600 032



TAHSILDAR
TIRUPPUR

MU.MU.984/2021/A1

Date : 24.07.2021

Tahsildar Office,
Thiruporur.CERTIFICATE

M/s. Khivraj Tech Park Private Limited has applied for permission to use the cement road near the puddle in the school embankment situated at "KC High School (Kids Central High School)", Survey No.45/1, Navalur Village, Chengalpattu District, Thiruporur Taluk.

The puddle situated at No.10, Survey No.45/1, Navalur Village, Thiruporur Taluk comprising an area of 1.37.5 hectare is classified as "Government Poromboke Puddle" in the Village Records. The Petitioner lands situated in Survey Nos.42/3A, 42/3B, 49/1, 43/2B, 48/1A, 48/1B, 46/1C1, 48/1C2, 48/2A and 50/1 are situated near the above mentioned puddle in Survey No.45/1 and the patta stands in the name of the petitioner "Khivraj Tech Park Private Limited". The students and parents of KC High School (Kids Central High School) are using the cement road situated on the southern side of puddle embankment for as an access road to school. Since the usage of this road does not cause any disturbance to general public, it is certified that the cement road situated in the puddle embankment at Survey No.45/1 can be temporarily used as an access road to school by the school children and their parents.

Note : This Certificate is issued only for the specific purpose of the school children and their parents using the cement road as an access road to the School.

Receipt
Khivraj Tech Park Private Limited
No.01, SIDCO Industrial Estate,
Guindy, Chennai - 600 032

TAHSILDAR
THIRUPORUR

**SKETCH SUBMITTED WITH THE REPORT OF THE JOINT
COMMITTEE WITH OBSERVATIONS**

1. Cement road situated in the embankment on the southern side of puddle situated at Survey No.45/1 used by KC HIGH SCHOOL(KIDS CENTRAL HIGH SCHOOL), extent - 0803 sq. mtrs.
2. Compound wall constructed in patta lands in Survey Nos.45/2A,2B and as encroachment near the Puddle in Government Poromboke in Survey No.45/1, extent - 108 Sq. mtrs.
3. Vacant land remaining after the construction cement road comprised in the Puddle in Government Poromboke in Survey No.45/1, extent - 0180 sq. mtrs.
4. Land comprised in the Puddle in Government Poromboke in Survey No.45/1, which is used as burial ground tar road used by the general public but under the maintenance of Panchayat, extent - 0455 sq. mtrs.
5. Encroachment of Survey NO.43/1 due to building of houses, extent - 2050 sq. mtrs.

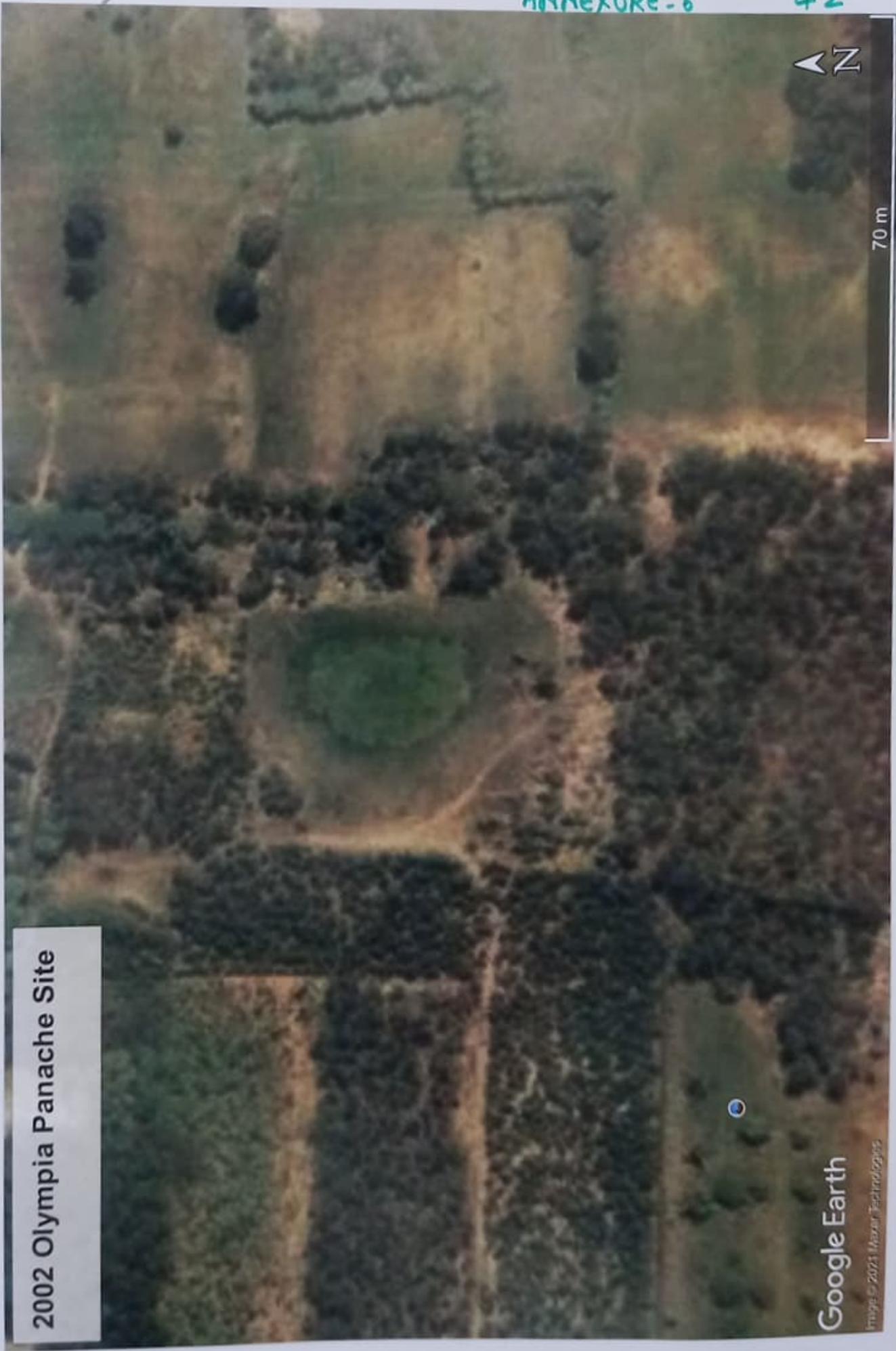


70 m

2002 Olympia Panache Site

Google Earth

Image © 2023 Maxar Technologies





70 m

2005 Olympia Panache Site



Google Earth

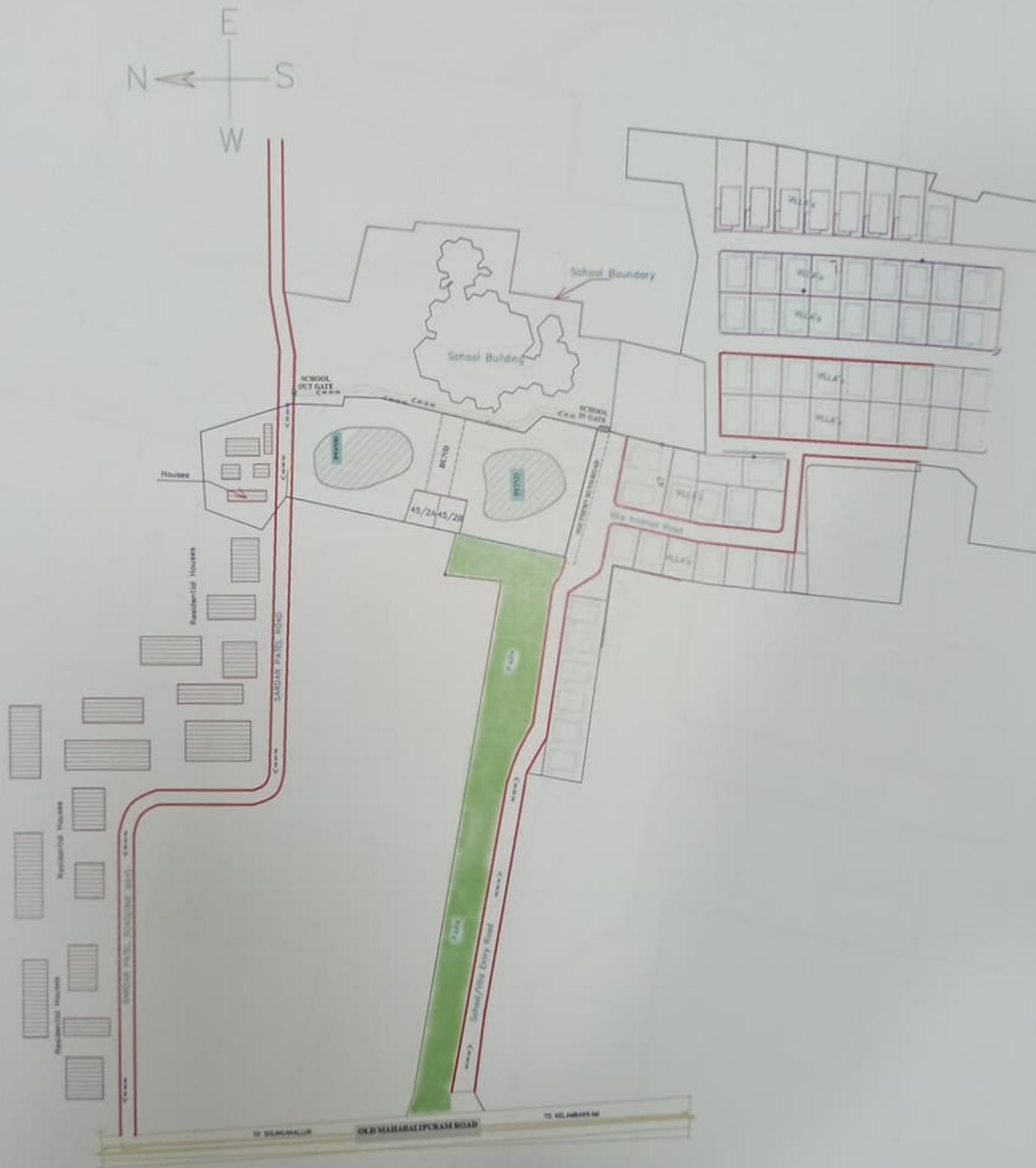
Image © 2021 Maxar Technologies

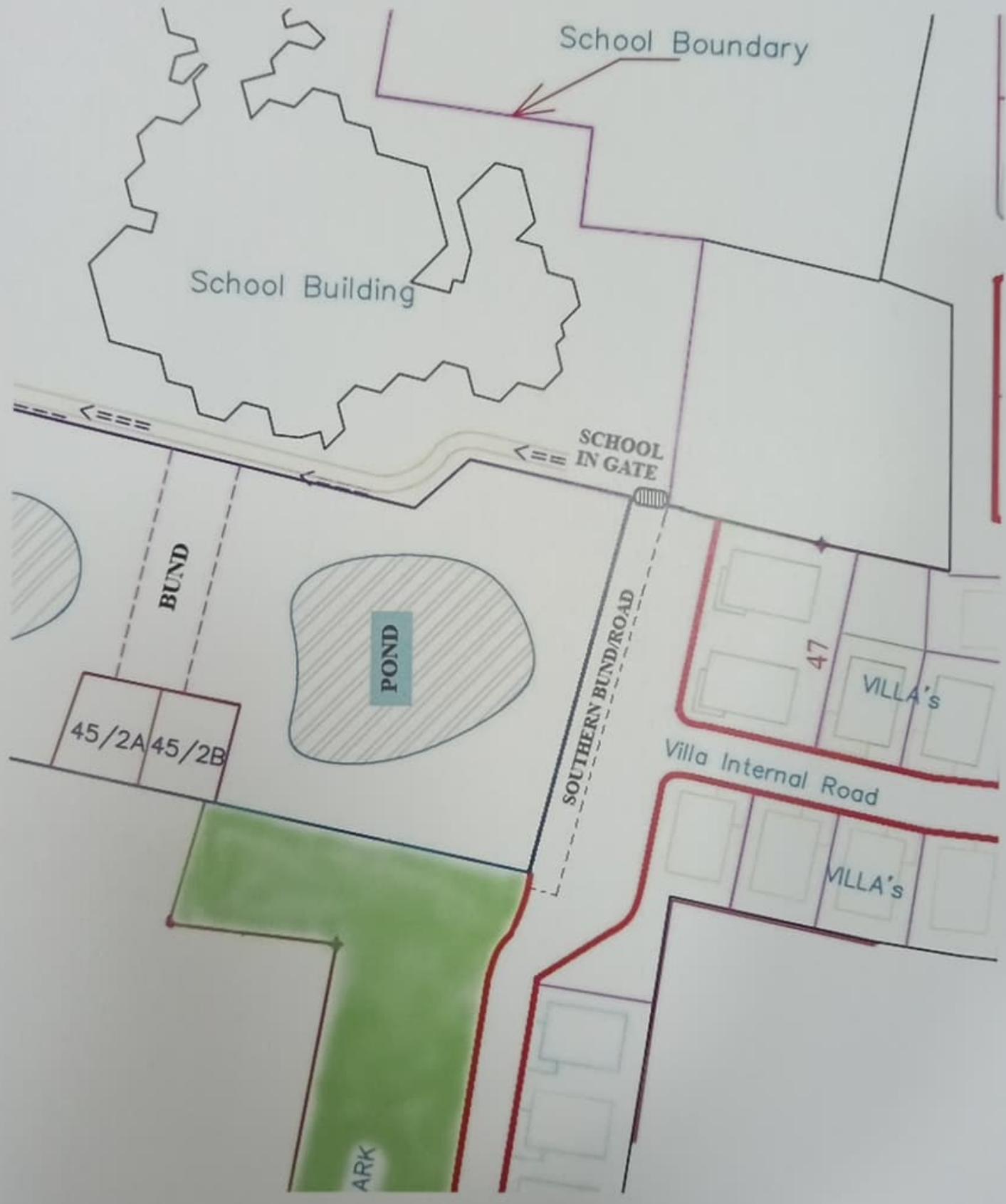


70 m

2008 Olympia Panache Site







IN THE HON'BLE NATIONAL GREEN
TRIBUNAL AT CHENNAI (SZ)

O.A.No. 150 of 2021

IN THE MATTER OF: -

Mr.N.S.Srinivasan
S/o. Late Mr.P.N.Shanmugham
G-61, 12th Block, Anna Nagar,
Chennai 600 102.
e.mail: accountsspnc@yahoo.com
and 3 Others
... Applicant

VERSUS

M/s. Khivraj Tech Park Private Limited
No.1, SIDCO Industrial Estate,
Guindy, Chennai 600 032.
Rep. by its Director Mr. Ajit Kumar
Chordia
e.mail: infoadmin@olympiagroup.in
and 12 Others
... Respondents

REPLY FILED BY THE RESPONDENTS
1 TO 5 WITH
LIST OF DOCUMENTS

M/s R.SARAVANAKUMAR 319/93
E.VEDA BAGATH SINGH 430/95
J.RAJA RAO 1703/12 &
M.GOPINATH 2818/19

COUNSEL FOR RESPONDENTS 1 to 5

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