

The New Indian Express 29.07.2010

Plea against TNSCB construction rejected

Express News Service

CHENNAI: The Madras High Court has rejected a plea to restrain the TN Slum Clearance Board and other authorities from carrying out any reclamation and/or construction activity at Okkiyam-Thoraipakkam village and to restore the land to its original state.

By a GO dated July 4, 2006, the revenue department alienated 7.95 hectares of land at Okkiyam Thoraipakkam to the TNSCB for construction of tenements for tsunami affected people and other slum dwellers evacuated from city slums. The Board by a notice dated October 21, 2008, invited tenders for building more residential flats in the area. Hence, the present public interest writ petition from Susetha, a ward member of Okkiyam Thoraipakkam.

Rejecting each and every contention of the petitioner, a bench comprising justices Elipe Dharma Rao and K K Sasidharan said the area of construction did not fall within the prohibitory zone and it was not a marshy land or a water body or backwater area. The State was empowered to change and modify the classification of the land having regard to the contemporary

nature of the land and one could not expect that the classification would be static and stagnant at all times without change by passage of time.

The writ petition lacked bona fides. Petitioner herself having constructed a house in the area, she was trying to term the area as prohibited one relying on revenue classification of the land in 1911. The land in question had been reclassified by the State owing to the contemporary nature and its position, long ago. In fact, it was a well developed area as of now. All this would show that the petitioner had not approached this court with clean hands, the bench said, and dismissed the petition. The bench, however, directed the State and the Board to attend to the needs of residents of Kannagi Nagar and the surrounding areas.

They should also ensure regular water supply, which would solve many problems of the residents.