

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.10.2015

CORAM:

THE HON'BLE MR. JUSTICE SATISH K. AGNIHOTRI

and

THE HON'BLE MR. JUSTICE K.K. SASIDHARAN

W.P. No.10613 of 2015 and M.P. No.1 of 2015

M. Vijayakamaraj

Petitioner

vs.

1 The Principal Secretary/The Commissioner
Corporation of Chennai
Ripon Buildings, Chennai

2 The Regional Joint Commissioner - South
Corporation of Chennai
Ripon Building, Chennai

3 The Executive Engineer
Zone - XIII, Corporation of Chennai
L.B. Road, Adyar, Chennai 600 020

4 The Assistant Executive Engineer
Zone - XIII, Corporation of Chennai
L.B. Road, Adyar, Chennai 600 020

5 M.L. Sampath Kumaran

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of certiorarified mandamus, calling for the records of the first respondent impugned notice dated 26.03.2015 issued under Section 378 of the Chennai City Municipal Corporation Act, 1919 and quash the same and consequently, forbearing the first respondent from demolishing the superstructure at No.47/48, Sainath Buildings, Anna Salai, Guindy, Chennai 600 032.

For petitioner Mr. J. Kalidas

For RR 1-4 Mr. G. Anantharangan
Standing Counsel

For R5 Mr. S.V. Jayaraman, Sr. Counsel
for Mr. T. Dhanasekaran

ORDER

(delivered by SATISH K. AGNIHOTRI, J.)

The learned counsel for the petitioner seeks permission of this Court to withdraw the writ petition with liberty to take recourse to the Civil Court and has also made an endorsement to that effect as under:

"This petition is withdrawn as not pressed. Liberty may be given to challenge the notice before the Civil Court."

2 In view of the above submission and endorsement made by the learned counsel for the petitioner, this writ petition is dismissed as withdrawn with liberty, as aforesaid, if so advised. Costs made easy. Connected Miscellaneous Petition is closed.

Sd/-
Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

cad
To

- 1 The Principal Secretary/The Commissioner
Corporation of Chennai
Ripon Buildings
Chennai
- 2 The Regional Joint Commissioner - South
Corporation of Chennai
Ripon Building
Chennai
- 3 The Executive Engineer
Zone - XIII
Corporation of Chennai
L.B. Road, Adyar, Chennai 600 020
- 4 The Assistant Executive Engineer
Zone - XIII
Corporation of Chennai
L.B. Road, Adyar, Chennai 600 020

+1 cc to Mr.S.Jaganathan, Advocate, sr.54879
+1 cc to Mr.T.Dhanasekaran, Advocate, sr.54824

pa co, kra 13/10

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