

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.06.2015

CORAM:

THE HON'BLE MR.JUSTICE SATISH K. AGNIHOTRI
AND
THE HON'BLE MR.JUSTICE M.VENUGOPAL

W.P. No.13967 of 2015 and M.P. No.1 of 2015

1 K. Selvi

2 Kuppan @ Kuppusamy

Petitioners

vs.

1 The District Collector
Chennai District
Singaravelar Maligai
Rajaji Salai
Chennai 600 003

2 The Commissioner
Corporation of Chennai
Ripon Buildings
Park Town
Chennai 600 003

3 The Assistant Engineer
Corporation of Chennai
Division 65, Unit 15
Zone VI, Kolathur
Chennai 600 003

4 The Assistant Executive Engineer
Corporation of Chennai
Zone VI, Kolathur
Chennai 600 003

5 The Executive Engineer
Corporation of Chennai
Zone VI, Kolathur
Chennai 600 003

6 The Zonal Officer
Corporation of Chennai
Zone VI, Kolathur
Chennai 600 003

7 The Tahsildar
Perambur Purasaiwakkam Taluk
Chennai District

8 S. Vijayalakshmi

9 Saravana Perumal

Respondents

Writ Petition filed under Article 226 of the Constitution of India to call for the records of the sixth respondent in respect of the impugned notice bearing Ref. No.Z.O.VI.C. No.2747/2015 dated 23.03.2015 issued by the sixth respondent herein and counter-signed by the respondents 3 to 5 determined to remove the asbestos structure of the petitioners in land situated in Survey No.53/2, presently bearing Town Survey No.138, Kolathur Village, Purasaiwakkam Perambur Taluk, Chennai District, land measuring an extent of 2 cents claiming the same to be encroachment under Section 220 read with Section 222 of the Chennai City Municipal Corporation Act, 1919 and quash the same by way of a writ of certiorari.

For petitioners Mr. A. Palaniappan
For RR 1-7 Mr. P.S. Sivashanmugasundaram
Special Government Pleader

ORDER

(Order of the Court was made by SATISH K. AGNIHOTRI, J.)

The learned counsel for the petitioners seeks permission of this Court to withdraw the writ petition with liberty to take recourse to appropriate forum and has also made an endorsement to the following effect:

"The petitioners reserves to move the Civil Court for redressal of their grievance on account of subsequent event of demolition of the structure by the respondents 3 to 6. The writ petition may be permitted to be withdrawn without prejudice."

2 In view of the above submission and endorsement made by the learned counsel for the petitioners, this writ petition is dismissed as withdrawn with liberty as aforesaid, if so advised. No costs. Connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

cad

To

- 1 The District Collector
Chennai District
Singaravelar Maligai
Rajaji Salai, Chennai 600 003
- 2 The Commissioner
Corporation of Chennai
Ripon Buildings, Park Town, Chennai 600 003
- 3 The Assistant Engineer
Corporation of Chennai
Division 65, Unit 15
Zone VI, Kolathur, Chennai 600 003
- 4 The Assistant Executive Engineer
Corporation of Chennai
Zone VI, Kolathur, Chennai 600 003
- 5 The Executive Engineer
Corporation of Chennai
Zone VI, Kolathur, Chennai 600 003
- 6 The Zonal Officer
Corporation of Chennai
Zone VI, Kolathur, Chennai 600 003
- 7 The Tahsildar
Perambur Purasaiwakkam Taluk
Chennai District.

1 cc to Government Pleader.Sr.No.26414

W.P. No.13967 of 2015

mg (co)
pmk.11.6.2015

WEB COPY