

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 17.02.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.2604/2015

&

MP.Nos.1 to 3/2015

1.E.Sumathy
2.E.Sridharan

...Petitioners

Versus

1. The Junior Engineer
Division-122, Corporation of Chennai,
Zone-IX, K.B.Dasan Road,
Teynampet, Chennai 600 018.
2. The Assistant Executive Engineer
Unit-26, Corporation of Chennai,
Zone-IX, K.B.Dasan Road,
Teynampet, Chennai 600 018.
3. The Executive Engineer
Corporation of Chennai,
Zone-IX, K.B.Dasan Road,
Teynampet, Chennai 600 018.
4. The Superintending Engineer
Corporation of Chennai
Central Region, 2nd East Cross
Street, Pulla Avenue, Shenoy
Nagar, Chennai 600 030.
5. The Regional Deputy Commissioner
Commissioner of Chennai
Central Region, 2nd East Cross
Street, Pulla Avenue, Shenoy
Nagar, Chennai 600 030.

6. The Inspector of Police
Law and order
E3 Teynampet Police Station
Teynampet, Chennai 600 006.

...Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of certiorari calling for the entire records pertaining to the impugned notice dated 20.01.2015 issued by the 6th respondent and to quash the same.

For Petitioners : Mr.L.Chandrakumar

For RR1 to 5 : No appearance

For R6 : Mr.R.Vijayakumar, AGP

ORDER

Heard Mr.L.Chandrakumar, learned counsel for the petitioners and Mr.R.Vijayakumar, learned Additional Government Pleader appearing for the 6th respondent and perused the materials available on record. Though the respondents 1 to 5/Corporation of Chennai, has entered appearance through a counsel, there has been no representation on two occasions, viz., on 16.02.2015 and today.

2.The petitioners seek for issuance of a writ of certiorari to quash the order/notice issued by the 6th respondent dated 20.01.2015. The 6th respondent has issued a direction to the petitioners to remove the construction. Admittedly, the petitioner has removed the Boutique. Therefore, the 6th respondent/police is not entitled to interfere in the matter by directing the petitioners to approach the Corporation of Chennai and obtain a permission and demolish the construction. However, it is open to the respondent/Corporation of Chennai to pass appropriate orders, if there is any illegality committed by the petitioners or if there is any unauthorised construction. In any event, the petitioners shall not re-establish the boutique which has been since removed.

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3.The writ petition is disposed of with the above observation.
No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

AP

To

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1 CC to Mr.L.Chandrakumar, Advocate SR.No. 8505

WP.No.2604/2015
and M.P.Nos.1 to 3 of 2015

LRS (CO)
PSI (02.03.2015)



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