

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15/9/2015

C O R A M

THE HON'BLE MR. JUSTICE SATISH K. AGNIHOTRI
and
THE HON'BLE MR. JUSTICE K.K.SASIDHARAN

W.P. Nos.26354 and 26361 of 2015

V. Arun Kumar ... Petitioner in W.P.No.
26354 of 2015

Vidhya Lakshmi ... Petitioner in W.P.No.
26361 of 2015

Vs

1. The Commissioner
Corporation of Chennai
Ribbon Buildings
Chennai 3.

2. The Zonal officer
Zone 9
Corporation of Chennai
Mylapore
Chennai 600 004.

3. The Executive Engineer
Zone No.9
Corporation of Chennai
Mylapore
Chennai 4.

4. The Assistant Executive Engineer
Unit 25 Zone 9
Corporation of Chennai
Mylapore
Chennai 4.

5. The Assistant Engineer
Division 124 Zone 9
Corporation of Chennai
Mylapore
Chennai 600 004.

... Respondents in both the
petitions

Prayer in W.P.No.26354 of 2015: Writ Petition filed under Article 226 of the Constitution of India seeking for the issuance of a writ of certiorari to call for the records relating to the proceedings of the respondents 2 to 5 dated 29/7/2015 in Notice No.Zone IX/U-25/C.No.E1/10224/2015 issued under Section 222 of Madras City Municipal Act, IV of 1919 in respect of the shops in Door No.215/11 in occupation of petitioner in R.K.Mutt Road, Mylapore, Chennai 600 004, Zone No.9, Unit No.25, Division No.124 and quash the same.

Prayer in W.P.No.26361 of 2015: Writ Petition filed under Article 226 of the Constitution of India seeking for the issuance of a writ of certiorari to call for the records relating to the proceedings of the respondents 2 to 5 dated 29/7/2015 a Notice No.Zone IX/U-25/C.No.E1/10215/2015 issued under Section 222 of Madras City Municipal Act, IV of 1919 in respect of the shops in Door No.215/12 in occupation of petitioner in R.K.Mutt Road, Mylapore, Chennai 600 004, Zone No.9, Unit No.25, Division No.124 and quash the same.

For petitioners : Mr.K.Sukumaran

For respondents : Mr.V.C.Selvasekaran

C O M M O N O R D E R

(delivered by SATISH K. AGNIHOTRI,J.,)

With the consent of the parties, the writ petitions are taken up for final disposal.

2. Assailing the correctness of the notices dated 29 July, 2015, whereunder, the petitioners have been directed to remove the shops at Door Nos. 215/11 and 215/12 in R.K.Mutt Road, Mylapore, Chennai 600 004, respectively, the petitioners have come up with these petitions, on the ground that the petitioners have been in occupation of the said shops for a long period and as such, the same may be regularised.

3. Be that as it may, without expressing any opinion on the merits of the case, as submitted by the learned counsel for the Corporation, two weeks time is granted to the petitioners, from today, to make a representation, putting forward their cases. Two weeks thereafter, is granted to the authorities to take a final call in the matter, after examining the representations adverting to all the objections raised by the petitioners. Needless to state that till final orders are passed, no coercive action shall be taken by the authorities concerned.

4. These writ petitions are disposed of accordingly. Costs made easy. Connected Miscellaneous Petitions are closed.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

To

1. The Commissioner
Corporation of Chennai
Ribbon Buildings
Chennai 3.
2. The Zonal officer
Zone 9
Corporation of Chennai
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5. The Assistant Engineer
Division 124 Zone 9
Corporation of Chennai
Mylapore
Chennai 600 004.

+1cc to Mr.K.Sukumaran, Asvocate Sr.50376 and 50379

W.P. Nos.26354 and 26361 of 2015

kgk[co]
srg 15.10.2015