

In the High Court of Judicature at Madras

Dated: 08.06.2015

Coram:

The Honourable Mr. SANJAY KISHAN KAUL, Chief Justice
and
The Honourable Mr. Justice T.S.SIVAGNANAM

Writ Petition No. 25133 of 2012
and M.P. No.1 of 2012

M. Sivakumar .. Petitioner
vs.

1. The Secretary to Government
Commercial Tax and Registration Department
Fort St. George, Secretariat
Chennai 600 009.

2. The Secretary to Government
Revenue Department
Fort St. George, Chennai.

3. The Commissioner of Municipal Administration
Ezhilagam, Chepauk, Chennai.

4. The Commissioner
Corporation of Chennai
Rippon Building, Chennai.

5. The Commissioner, Zone - 12
Corporation of Chennai,
Alandur, Chennai-16.

6. Jagadeesan

7. M/s. Jayam Construction
rep. by Mr. Sampath Kumar
No.244, M.T.H. Road
Villilivakkam, Chennai-49.

8. M/s. Balaji Nagar Government Employees
Welfare and House sites Society
rep. by its Secretary Mr.C.Subbiah

9. M/s. Balaji Nagar Government Employees
Welfare and House sites Society
rep. by its President Mr.N.R.Ramanathan

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for issue of a Writ of Mandamus to direct the respondents 1 to 5 to take appropriate action on the petitioner's representation dated 05.07.2012 and reclaim the land gifted by M/s.Balaji Nagar Government Employees Welfare and House sites Society vide Document No.2403/1986 to the fifth respondent previously known as Alandur Municipality.

For Petitioner : Mr. No Appearance

For Respondents : Mr. S.T.S. Murthi
Government Pleader for R1 to R3
Ms. Karthika Ashok for R4 & R5
Mr. A. Anburasu for R6
Mr. R. Ponnusamy for R7
Mr. P. Raja for R8 and R9.

O R D E R

(Made by The Hon'ble The Chief Justice)

On perusal of the pleadings and in view of the counter affidavit filed by respondent nos. 8 and 9, the speculations set forth in the writ petition are stated not to be true. In any case, the matter really does not partake the character of a Public Interest Litigation. None appears for the petitioner, despite the matter being called out in the pre-lunch session and post-lunch session. Learned counsel appearing for the builder/seventh respondent states that any construction will be made only as per the sanctioned plan.

2. The writ petition accordingly stands dismissed. No costs. Consequently, M.P. No.1 of 2012 is also dismissed.

Sd/-

सत्यमेव जयते
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

ATR

To;

1. The Secretary to Government
Commercial Tax and Registration Department
Fort St. George, Secretariat
Chennai 600 009.

2. The Secretary to Government
Revenue Department
Fort St. George, Chennai.
3. The Commissioner of Municipal Administration
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4. The Commissioner
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Rippon Building, Chennai.
5. The Commissioner, Zone - 12
Corporation of Chennai,
Alandur, Chennai-16.

1 cc to M/s.A. Karthik Ashok, Advocate, Sr. 27532
1 cc to Mr.S. Subbiah, Advocate, sr. 27658
1 cc to Government Pleader, Sr. 27699

W.P. No. 25133 of 2012

MG (CO)
kk 15/6



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