

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.11.2016

CORAM

The HON'BLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE  
AND

The HON'BLE MR.JUSTICE R.MAHADEVAN

W.P.No.11975 of 2011

Gems Park Apartment Owner's Association  
rep. by its Secretary  
R-15, Ruby Block  
Gems Park, Gems Park Avenue  
Mogappair Eri Scheme  
Chennai - 600 037. ... Petitioner

vs.

1. The Commissioner  
Ambattur Municipality  
Ambattur, Chennai.
2. B.Maheshwari  
Commissioner  
Ambattur Municipality  
Ambattur, Chennai.
3. Bhaskar Babu Homes Private Limited  
rep. by its Managing Director, G.Bhaskar  
No.12/1, Reddy Street  
Ragamaalika Apartments  
Virugambakkam, Chennai - 92. .. Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of Certiorari calling for the records relating to the proceedings of the 1<sup>st</sup> respondent in Na.Ka.No.6538/11/F3, dated 22.4.2011 and quash the same as illegal and against the provisions of the Tamil Nadu District Municipalities Act, 1920.

For Petitioner

: Mr.R.Shivakumar  
for M/s.K.M.Vijayan  
Associates

For Respondents

: Mr.V.C.Selvasekaran  
for respondents 1 and 2

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

The learned counsel for respondents 1 and 2 states that the Ambattur Municipality was merged in the Corporation on 19.7.2011 and the impugned notice issued by the Municipality on 22.4.2011 had validity of only one year. Thus, he submits that the building will be inspected afresh and if there are any violations, fresh notice will be issued by the Corporation.

2. The aforesaid exercise be done by the Corporation within one month of the receipt of the order.

The petition stands disposed of accordingly. No costs. Consequently, M.P.Nos.1 and 2 of 2011 are closed.

Sd/-  
Asst.Registrar (CS V )

/true copy/

Sub Asst. Registrar

To  
The Commissioner  
Ambattur Municipality  
Ambattur, Chennai.

+1 cc to M/s.K.M.vijayan,advocate,sr.69903.

mg(co)  
krd 8/12

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सत्यमेव जयते

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