

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.11.2016

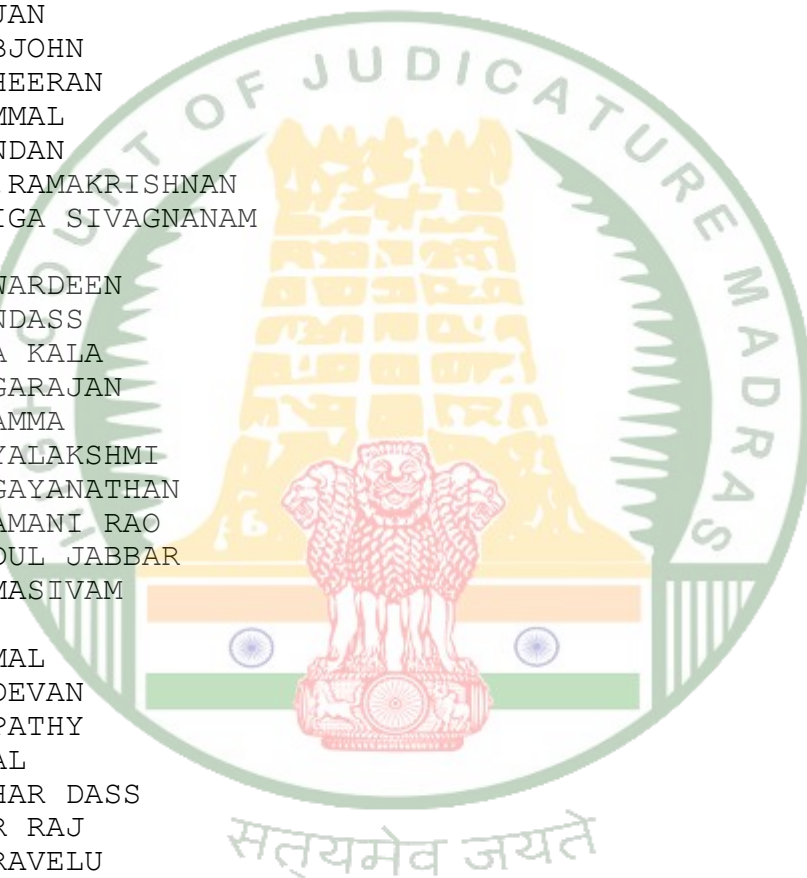
CORAM

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

The HON'BLE MR.JUSTICE R.MAHADEVAN

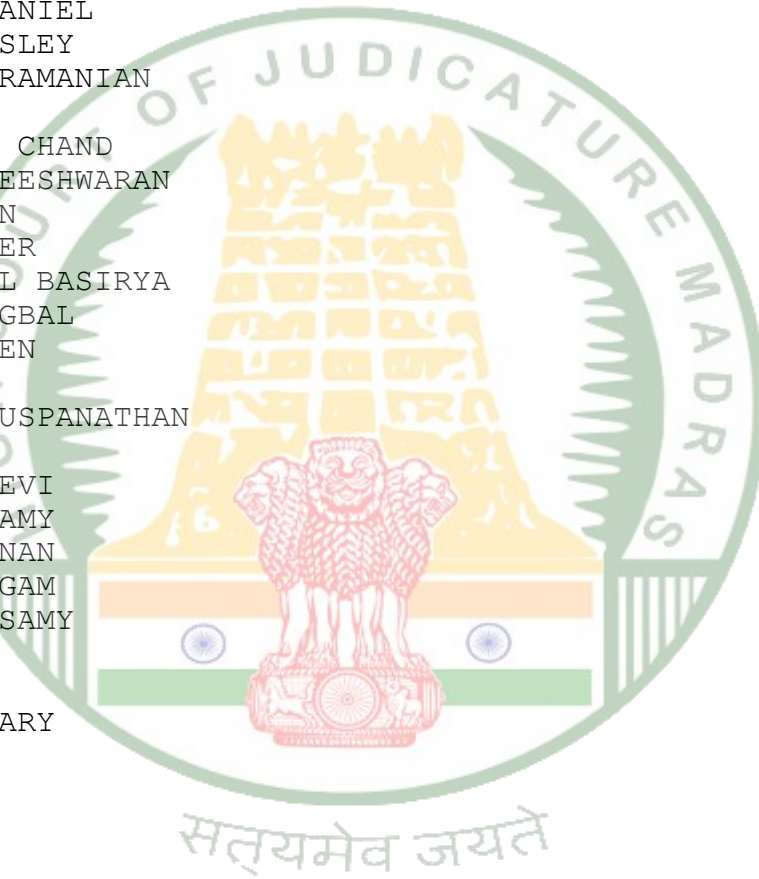
W.P.No.10166 of 2010

1 K.A.GRIJAN
2 R.GULABJOHN
3 A.BAASHEERAN
4 K.JAYAMMAL
5 S.B.KUNDAN
6 DR.T.M.RAMAKRISHNAN
7 S.MALLIGA SIVAGNANAM
8 P.RAVI
9 A.S.ANWARDEEN
10 T.MOHANDASS
11 CHANDRA KALA
12 M.R.NAGARAJAN
13 B.SHAKAMMA
14 N.VIJAYALAKSHMI
15 J.J.SAGAYANATHAN
16 V.SUBRAMANI RAO
17 V.M.ABDUL JABBAR
18 R.PARAMASIVAM
19 IQBAL
20 KUNJAMMAL
21 R.SAGADEVAN
22 V.GANAPATHY
23 S.NIRMAL
24 V.JAWAHAR DASS
25 N.KUMAR RAJ
26 M.KUMARAVELU
27 K.K.AMBUJAKSHI AMMA
28 R.JOSEPH ANTONY
29 M.DHAMODHARAN
30 C.NATESAN
31 N.CHANDRAN
32 VELAMMAL
33 MOHAN
34 R.PUTTUSAMY
35 B.SHANTHA
36 P.MUTHU PILLAI
37 T.RAJAN
38 M.MANJULA
39 SARAMMA



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40 R.KRISHAN
41 R.RAJA
42 SAROJA GANGADHARAN
43 N.KRISHNAN
44 NAGARATHINAM
45 B.PAPPANNAN
46 N.PARVATHY
47 B.R.BHIRMAN
48 THAMMANNAN
49 A.PACKIAM SAGAYAMARY
50 RAMAKRISHNAN
51 MR.SHANTHA KUMAR
52 STEPHEN DANIEL
53 G.JOHN WESLEY
54 N.BALASUBRAMANIAN
55 A.NASEER
56 I.GOWTHAM CHAND
57 P.R.JEGADEESHWARAN
58 MARIYAPPAN
59 BYRA GOWDER
60 RABIYATHUL BASIRYA
61 FATHIMA IGBAL
62 H.SIRAJDEEN
63 NISHA
64 T.PREMA PUSPANATHAN
65 NAZEEMA
66 MANJULA DEVI
67 L.PUTTUSWAMY
68 E.LAKSHMANAN
69 L.SIVALINGAM
70 T.R.PONNUSAMY
71 N.S.ANDIE
72 J.RABNAVZ
73 MRS.ROSYMARY
74 M.MANI
75 S.DAVID
76 K.M.MEENA
77 B.SAKKU
78 M.MYTHILI
79 T.ANAND
80 A.SUBRAMANI
81 RADHA KRISHNAN
82 SEBASTIN
83 BELLIE MATHAN
84 R.FATHIMA ROSALINE
85 S.SANTHAN
86 S.RAMAN
87 S.JAYARAMAN
88 S.I.SYEDHANI
89 BABJAN
90 P.NAGARAJ
91 K.MURTHY



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92 A.RICHARD JEBARAJAN
93 V.GADADHARAN
94 MR.UDAYA KUMAR
95 JAYARAJ
96 NAZEER
97 P.SAMUEL PRABHAKAR
98 A.ZACKRIAH
99 SAFIULLAH
100 NAID KATHOON
101 SHANKAR
102 THOMAS
103 R.MANI
104 K.E. KRISHNA DASS
105 B.NANJAPPAN
106 JEYA LAKSHMI
107 SULAIMAN SAIT
108 BASKARAN
109 G.DILIP KUMAR
110 INDRA KUMARI
111 ABDUL RAHMAN
112 G.NOORUL GUTHA
113 PADMINI
114 A.MOHAMMED ZAFFARULLAH
115 SURESH KUMAR
116 G.RAMACHANDRAN
117 VALAYUDHUN NAIR
118 S.KALAMANI
119 GEETHA MANI
120 JAYACHAND
121 RATHNABAI
122 C.MANI
123 M.PADMA
124 G.KISHORE KUMAR
125 J.JAWAHARLAL JAIN
126 SUBRAMANI

.. Petitioners

vs.

1. THE STATE OF TAMIL NADU
REP. BY ITS SECRETARY TO GOVERNMENT
MUNICIPAL ADMINISTRATION AND WATER SUPPLY
DEPARTMENT, FORT ST. GEORGE CHENNAI-9.
2. THE DISTRICT COLLECTOR
NILGIRIS DISTRICT, OOTY.
3. THE COMMISSIONER
OOTY MUNICIPALITY
OOTY, NILGIRIS DISTRICT.

4. THE TOWN PLANNING OFFICER
OOTY MUNICIPALITY
OOTY, NILGIRIS DISTRICT.
5. THE SUPERINTENDING ENGINEER
TAMIL NADU ELECTRICITY BOARD
DISTRIBUTION CIRCLE, AAVIN COMPLEX
OOTY, NILGIRIS DISTRICT.
6. THE SUPERINTENDING ENGINEER
TAMIL NADU WATER AND DRAINAGE BOARD
BAIKEY HOUSE, BAIKEY ROAD
OOTY, NILGIRIS DISTRICT.

7. ELEPHANT G.RAJENDRAN ... Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of Mandamus forbearing respondents 1 to 6 from demolishing the 126 unauthorized constructions put up by the petitioners in the Ooty Town whose names in the annexure, in exercise of the power conferred under Section 216 of the Tamil Nadu District Municipalities Act, 1920 pending the decision of the State Government on the question of granting exemption to unauthorized construction under Section 217-Q of the Tamil Nadu District Municipalities Act, 1920.

For Petitioners : Mr.Silambanan
Senior Counsel
for M/s.Profexes Associates

For Respondents : Mr.T.N.Rajagopalan
Spl. Government Pleader
for respondents 1 to 4

No appearance
for respondents 5 to 7

ORDER

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

The learned Senior Counsel for the petitioner states that in view of the comprehensive directions passed for the same area in W.P.Nos.32747 and 32855 of 2007 filed by the seventh respondent, the present petition can be disposed of in terms of the order passed on those petitions on 15.10.2014.

2. The petition is disposed of in terms of the order dated 15.10.2014 made in W.P.Nos.32747 and 32855 of 2007. No costs.

3. List for compliance on 3.2.2017. Status report to be filed by the respondents, including in respect of the aforesaid writ petitions already disposed of.

Sd/-
Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

To:

1. THE SECRETARY TO GOVERNMENT
STATE OF TAMIL NADU
MUNICIPAL ADMINISTRATION AND WATER SUPPLY
DEPARTMENT, FORT ST. GEORGE CHENNAI-9.
2. THE DISTRICT COLLECTOR
NILGIRIS DISTRICT, OOTY.
3. THE COMMISSIONER
OOTY MUNICIPALITY
OOTY, NILGIRIS DISTRICT.
4. THE TOWN PLANNING OFFICER
OOTY MUNICIPALITY
OOTY, NILGIRIS DISTRICT.
5. THE SUPERINTENDING ENGINEER
TAMIL NADU ELECTRICITY BOARD
DISTRIBUTION CIRCLE, AAVIN COMPLEX
OOTY, NILGIRIS DISTRICT.
6. THE SUPERINTENDING ENGINEER
TAMIL NADU WATER AND DRAINAGE BOARD
BAIKEY HOUSE, BAIKEY ROAD
OOTY, NILGIRIS DISTRICT.

Copy to:

The Section Officer,
Writ Section, High Court, Madras.

+1 cc to M/s.C.Uma,advocate,sr.68140

+1 cc to Government pleader,sr.68302

+1 cc to M/s.s.kadarkarai,advocate,sr.68520

sai(co)

krd 30/11

W.P.No.10166 of 2010