

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.11.2016

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P.Nos.28473 & 29114 of 2011

and

M.P.Nos.1 to 3 of 2011

C.Govindaraju

.. Petitioner in
W.P.28473/2011

1.R.Raghuram

2.R.Premchandran

3.R.Arun Chandran

.. Petitioners in
W.P.29114/2011

-vs-

1.State of Tamil Nadu,

rep. by the Secretary to Government,
Housing and Urban Development Department,
Secretariat, Fort St. George,
Chennai-600 009.

2.The Chennai Metropolitan Development Authority,

rep. by its Member Secretary,
Thalamuthu Natarajan Maaligai,
No.8, Gandhi Irwin Road,
Egmore, Chennai-600 008.

3.N.Chandrasekaran

4.M/s.Aarkay Housing Developers,

rep. by its Partner R.Arun Chandran,
Plot No.182, Ammaiye Ammal Street,
Ayyavoo Naidu Colony,
Aminjikarai, Chennai-600 029.

.. Respondents in
both petitions

Writ Petitions filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorarified Mandamus calling for the records of the second respondent comprised in its notice bearing Letter No.ES2/18856/2002 dated 11.11.2011 and quash the same and direct the respondents not to take any measures to demolish or seal the building or portions thereof in which the petitioners reside. (in both Writ Petitions)

For Petitioner : Mr.Rahul Balaji

For Respondents : Mr.T.N.Rajagopal
Spl. G.P. for R1

Mr.N.Sampath for R2

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COMMON ORDER

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

The learned counsel for the petitioners states that the portions in their occupation are as per the sanctioned plan.

2. We take the said statement on record.

3. In view of the aforesaid, coupled with the stand of the CMDA/respondent that action is being taken only against such portions which are unauthorised, we are not inclined to pass any directions.

4. The writ petitions, accordingly, stand disposed of. No costs. Consequently, M.P.Nos.1 to 3 of 2011 are closed.

Sd/-

Asst.Registrar (CS V.)

/true copy/

Sub Asst. Registrar

To

1.The Secretary to Government,
Housing and Urban Development Department,
Secretariat, Fort St. George,
Chennai-600 009.

2.The Member Secretary,
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Maaligai,
No.8, Gandhi Irwin Road,
Egmore, Chennai-600 008.

+2 cc's to M/s.N.Sampath,advocate,sr.70839, 840

+1 cc to M/s.Satish parasaran,advocate,sr.70479

+1 cc to Govt.Pleader,sr.70226.

br(co)

krd 8/12

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