

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.01.2016

CORAM

THE HONOURABLE MR.JUSTICE M.M. SUNDRESH

W.P.No.26138 of 2015

Dr.Krishnamoorthy
No.42, 100 Feet Road,
Vadapalani,
Chennai 600 026

... Petitioner

- Vs -

1. The Commissioner,
Corporation of Madras,
Rippon Building,
Chennai 600 003
2. The Member Secretary,
Chennai Metropolitan Development Authority,
No.8, Gandhi Irwin Road,
Chennai 600 008.
3. Shinga Raj
4. Mahavir Jain
5. Kanagha Raj
6. Selvaraj

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of mandamus to direct the respondents 1 and 2 to appear before the Learned XIV Assistant City Civil Court in O.S. No. 4277 of 2010 and take necessary steps to set aside the ex-parte order passed against them in order to be made parties in the said proceedings and to participate in the same.

For Petitioner : Mr.K. Rajasekaran

For Respondent 1 : Mr.P.V.Selvakumar

For Respondent 2 : Mr.A.Kumar,
Special Government Pleader

For Respondents 3 to 5: No Appearance

ORDER

This Writ Petition is filed for issuance of a Writ of Mandamus to direct the respondents 1 and 2 to appear before the Learned XIV Assistant City Civil Court in O.S. No. 4277 of 2010 and take necessary steps to set aside the ex-parte order passed against them in order to be made parties in the said proceedings and to participate in the same.

2. Though the petitioner has come forward with an unique prayer, it only demonstrates the ground reality. It appears that statutory bodies do not pay adequate attention to the pending proceedings before this Court.

3. The learned counsel appearing for the respondents 1 and 2 submitted that appropriate steps would be taken by filing an application to set aside ex parte order. It is also submitted that the application to set aside the ex parte order is filed today. This Court only hopes that the respondents 1 and 2 would continue to pursue the said application filed and get appropriate orders.

The Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

srn/mrp

To

1. The Commissioner,
Corporation of Madras,
Rippon Building, Chennai 600 003
2. The Member Secretary,
Chennai Metropolitan Development Authority,
No.8, Gandhi Irwin Road,
Chennai 600 008.

+1cc to Mr.K. Rajasekaran, Advocate, S.R.No.2136
+1cc to Mr.P.V.Selvakumar, Advocate, S.R.No.2561
+1cc to Mr.K.Raja Srinivas, Advocate, S.R.No.2109

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ALA(CO)
CA(03/02/2016)