

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2016

CORAM

THE HON'BLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE M.SUNDAR

W.P.No.18657 of 2014

Subba Reddy Charities
rep. by Managing Trustee
A.J.Yuvaraj Reddy
15-A, Regency Park
Manapakkam
Chennai - 600 125. ... Petitioner

Vs.

1. The Member Secretary
Chennai Metropolitan Development Authority
1, Gandhi Irwin Road, Egmore, Chennai - 8.
2. The Commissioner
Corporation of Chennai
Chennai - 3.
3. The Zonal Officer
Zone XIII, Dr.Muthulakshmi Road
Adyar, Chennai - 20.
4. The Executive Engineer
Zone XIII, Dr.Muthulakshmi Road
Adyar, Chennai - 20.
5. The Divisional Engineer
TNEB, Raj Bhavan
Guindy, Chennai - 32.
6. The Tahsildar
Mambalam-Guindy Taluk
Chennai - 78.
7. R.V.Ragavan
8. R.Narayanan

9. Gopalan

10. Prof. Rajendran

Winners Academy
Old No.10 New 11/10
Race View Colony, Guindy
Chennai - 32.

11. Parthasarathy

12. Prabhu

13. A. Sankarnarayan

14. ATP Venkatachalapathy

.. Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a writ of Mandamus to direct the first respondent to take action against the second respondent to file counter for not taking action over the failure to punish respondents 3 and 4 on deliberate encroachment daringly performed by Raghavan's (seventh respondent) extended family and empire building in the property kept for charity hence it is prayed to direct to remove encroachment on the basis of notification by CMDA No.ES2/11440, dated 20.2.2012 and 24.6.2012 respectively ignored in lackadaisical attitude and in corruption facilitated by dishonest trustees and on the basis of verdict rendered in W.P.No.3223 of 2000 in AIR Bombay 145, dated 28.8.2000.

For Petitioner : No appearance

For Respondents : Mr. K. Raja Srinivas
for 1st respondent

Mr. T. N. Rajagopalan
Spl. Government Pleader
for respondents 4 and 6
Mr. V. C. Selvasekaran
for respondents 2 and 3

No appearance
for respondents
5 and 7 to 14

WEB COPY

ORDER

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

The writ petition filed for directions against the CMDA/first respondent to take action against the second respondent/ Corporation of Chennai for failing to file counter affidavit in W.P.No.14732 of 2014 would not be maintainable in our view and is accordingly dismissed. No costs.

Sd/-

Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

To:

1. The Member Secretary
Chennai Metropolitan Development Authority
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Guindy, Chennai - 32.
6. The Tahsildar
Mambalam-Guindy Taluk
Chennai - 78.

+1 cc to Mr.Senthilmurthy,advocate,sr.73519

+1 cc to Govt.Pleader,sr.73679.

mg(co)
krd 27/12

W.P.No.18657 of 2014