

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.11.2016

CORAM :

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

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P.Nos.40967, 40968, 40969, 40970, 40971, 40972, 40973 of 2015
and 18011 of 2016

and
connected miscellaneous petitions

W.P.No.40967 of 2015:

1.P.Rajan
2.P.Sudhakar
3.P.Sekar
4.P.Siva

.. Petitioners

-vs-

1.The Government of Tamil Nadu,
rep. by its Secretary,
Housing and Urban Development Department,
Fort St. George,
Chennai-600 009.

2.Corporation of Chennai,
rep. by its Commissioner,
Ripon Buildings,
Chennai-600 003.

3.The Executive Engineer,
Town Planning - Enforcement,
Corporation of Chennai, Zone V,
O/o Regional Deputy Commissioner - North,
No.61, Basin Bridge Road,
Chennai-600 021.

.. Respondents

1 G.R.Anantha Padmanaban
2 G.R.Radhakrishnan

petitioners in WP.No.40968/15

1 G. Saravnakumar

Petitioner in WP.No.40969/15

S/o Late N.Gnamam Rep.By his Power of
Attorney Meena Gnamam Door No. AH-17 4th
Avenue, Shanthi Colony, Anna Nagar
Chennai 40

1 Nathella Sampath Jewellery
Pvt. Ltd. Rep. By its Director N. Prapanna
Kumar S/o.Ranganatha Gupta No.225
Purasawakkam High Road, Vepery, Chennai 7

Petitioner in WP.No.40970/15

1 Sri Kanyaka parameswari
Devasthanam Rep.By its Secretary K.Ravindranath
S/o. Late K. Srinivasalu No.82
Amman Koil Street, George Town,
Chennai 600 001

Petitioner in WP.No.40971/15

1 Prakash Gold Palace Private
Ltd., Rep.by its Director mukesh Jain, No.
101, N.S.C. Bose Road, Chennai 600 079

Petitioner in WP.No.40972/15

1 baunak Haub
S/o. Khumehand Jain,
old No.162, New Nos.329 & 331,
mint Street, Sowcarpet, Chennai 01 WP.no.40973/ 15

1 kamala Bai
W/o. Kundanmal

2 Nitesh Kumar,
S/o.Ramesh Kumar,
Both at M. Shanthi Nivas
No.104, Narayana Mudali St, Sowcarpet, Chennai 1
WP.No.18011/2016

1 The Government of Tamilnadu
Rep.By its Secretary Housing and Urban
Development Department Fort St. George
Chennai 9

2 Corporation of Chennai
Rep.By its Commissioner,
Ripon Buildings, Chennai 600 003

3 The Executive Engineer
Town Planning Enforcement, Forporation of
Chennai O/O. Regional Deputy Commissioner

Central Pulla Avenue Shenoy Nagar Chennai
600 030

Respondent in WP.No.40968/15

1 The Government of Tamilnadu
Rep.by its Secretary Housing and Urban
Development Department Fort St. George
Chennai 9

2 Corporation of Chennai
Rep.by its Commissioner, Ripon Buildings
Chennai 600 003

3 The Executive Engineer
Enforcement-Region (Central) Corporation of
Chennai Pullah Avenue Shenoy Nagar
Chennai 600 030 Respondent in WP.No.40969/15

1 The Government of Tamil Nadu
Rep.by its Secretary Housing and Urban
Development Department Fort St. George
Chennai 9

2 Corporation of Chennai
Rep.by its commissioner, Rippon Buildings
Chennai 3

3 The Executive Engineer
Town Planning Enforcement Corporation of Chennai
O/O. Regional Deputy Commissioner
Central, Pullah Avenue, Shenoy Nagar
Chennai 30 Respondent in WP.No.40970/15

1 The Government of Tamilnadu
Represented by its Secretary Housing and
urban Development Department Fort St.George
Chennai 600 009

2 Corporation of Chennai
Rep.by its Commissioner Ripon Buildings
Chennai 600 003

3 The Executive Engineer
Town Planning - Enforcement Corporation of
Chennai O/O. Regional Deputy Commissioner -
North No.61 Basin Bridge Road Chennai 600 021
Respondent in WP.No.40971/15

1 The Government of Tamil Nadu
Rep.By its Secretary Housing and Urban

Development Department Fort St. George
Chennai 9

2 Chennai Metropolitan
Development Authority Rep.by its member
Secretary No.1 Gandhi Irwin Road
Egmore, Chennai 8 Respondents in WP.No.40972/15

1 The Government of Tamilnadu,
Represented by its Secretary
Housing and Urban Development Department
Fort St. George, Chennai 9

2 Chennai Metropolitan Development Authority,
Rep.by its Member - Secretary
No.1 Gandhi Irwin Road,
Egmore, Chennai 8 Respondents in WP.No.40973/15

1 The Government of Tamil Nadu
Rep.by its Secretary to Govt.,
Housing and Urban Development Department
Fort St. George, Chennai 9

2 The Corporation of Chennai
Rep.by its Commissioner
Rippon Buildings
Chennai 3

3 The Executive Engineer
Town Planning (Enforcement)
O/O, Regional Deputy Commissioner (North)
Corporation of Chennai
basin Bridge Road,
Chennai 21 Respondents in WP.No.18011/2016

सत्यमेव जयते

Writ Petition No.40967 of 2015 filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorarified Mandamus calling for the entire records of the first respondent in proceedings LR.No.21605/UD-VI(2)/2015-1 dated 18.11.2015 in rejecting petitioners Appeal filed under Section 80-A of the Town and Country Planning Act with regard to the building put up at No.14 (New No.27), Purusawakkam High Road, Chennai-600 007 by quashing the same and consequently forbear the 2nd/3rd respondent or anybody on their behalf from initiating any coercive action of locking and sealing and demolition of the building put up at the aforementioned property.

WP.No.40968/2015

calling for the entire records of the 1st respondent in proceedings Lr.No.21607/UD-VI(1)/2015-1 dated 3.11.2015 in rejecting petitioner Appeal filed under Section 80-A of the Town and Country Planning Act with regard to the building put up at Old NO.187 to 189 Purasawakkam High Road Kilpauk Chennai 600 010 by quashing the same and consequently forbear the 2nd/3rd respondent or anybody on their behalf from initiating any coercive action of Locking and Sealing and Demolition of the building put up at the aforementioned property.

WP.No.40969/2015

calling for the entire records of the 1st respondent in proceedings Lr.No.21611/UD-VI(1)/2015-1 dated 13.11.2015 in rejecting petitioners Appeal filed under Section 80-A of the Town and Country Planning Act with regard to the building put up at AH-17 4th Avenue Shanthi colony Anna Nagar Chennai-40 by quashing the same and consequently forbear the 2nd/3rd respondent or anybody on their behalf from initiating any coercive action of Locking and Sealing and Demolition of the building put up at the aforementioned property.

WP.No.40970/2015

Calling for the entire records of the 1st respondent in proceedings in LR No.21612/ UD-VI(1)/ 2015-1 dated 3.11.2015 in rejecting the petitioner Appeal filed under Section 80A of Town and Country Planning Act with regard to the building put up at No.225 Purasawakkam High Road Vepery Chennai-600 007 by quashing the same and consequently forbear the 2nd/3rd respondent or anybody on their behalf from initiating any coercive action of Locking and Sealing and Demolition of the Building put up at the aforementioned property

WP.No.40971/2015

Calling for the entire records of the 1st respondent in proceedings in Lr.No. 21610/UD-VI (2)/2015-1 dated 26.10.2015 in rejecting petitioner Appeal filed under Section 80-A of the Town and Country Planning Act with regard to the building put up at No. 82 Amman Koil Street George Town Chennai-600 001 by quashing the same and consequently forbear the 2nd /3rd respondent or anybody on their behalf from initiating any coercive action of Locking and Sealing and Demolition of the building put up at the aforementioned property

WP.No.40972/2015

Calling for the entire records of the 1st respondent in proceedings in LR No.21637/ UD-VI(2)/ 2015-1 dated 3.11.2015 in rejecting the petitioner Appeal filed under Section 80A of Town and Country Planning Act with regard to the building put up at

No.101 N.S.C Bose Road Chennai-600 079 by quashing the same and consequently forbear the 2nd respondent or anybody on their behalf from initiating any coercive action of Locking and Sealing and Demolition of the Building put up at the aforementioned property

WP.No.40973/2015

Calling for the entire records of the 1st respondent in proceedings in LR No.22112/ UD-VI(1)/ 2015 dated 16.11.2015 in rejecting the petitioners Appeal filed under Section 80A of Town and Country Planning Act with regard to the building put up at Old No.162 New Nos.329 & 331 Mint Street Sowcarpet Chennai-1 by quashing the same and consequently forbear the 2nd respondent or anybody on their behalf from initiating any coercive action of Locking and Sealing and Demolition of the Building put up at the aforementioned property

WP.No.18011/2016

calling for the records of 1st respondent in letter No.21038/UD-VI(1)/2015-1 dated 24.11.2015 in rejecting the petitioners Revision petition filed under Section 80-A of the Town and Country Planning Act as against locking and Sealing decision of officials of Corporation of Chennai for the building put up at No.104 Narayana Mudali Street Sowcarpet Chennai 600 001 by quashing the same and consequently direct the respondents to regularise the building put up in the aforementioned property

For Petitioner : Mr.R.Mohan
For Respondents : Mr.R.Vijayakumar
Addl. G.P. for R1
Mr.A.Nagarajan for R2 & R3

WP.No.40968/2015

For Petitioner : Mr.R.Mohan
For Respondents : Mr.R.Vijayakumar
Addl. G.P. for R1
Mr.A.Nagarajan for R2 & R3

WP.No.40969/2015

For Petitioner : Mr.R.Mohan
For Respondents : Mr.R.Vijayakumar
Addl. G.P. for R1
Mr.R. Arunmozhi for R2 & R3

WP.No.40970/2015

For Petitioner : Mr.R.Mohan
For Respondents : Mr.R.Vijayakumar
Addl. G.P. for R1
Mr.R. Arunmozhi for R2 & R3

WP.No.40971/2015

For Petitioner : Mr.R.Mohan
For Respondents : Mr.R.Vijayakumar
Addl. G.P. for R1
Mr.V.C. Selvasekaran for R2 & R3

WP.No.40972/2015

For Petitioner : Mr.R.Mohan
For Respondents : Mr.R.Vijayakumar
Addl. G.P. for R1
Mr.K. Rajashinivas for R2

WP.No.40973/2015

For Petitioner : Mr.R.Mohan
For Respondents : Mr.R.Vijayakumar
Addl. G.P. for R1
Mr.K. Rajashrinivas for R2

WP.No.18011/2015

For Petitioner : Mr.R.Mohan
For Respondents : Mr.R.Vijayakumar
Addl. G.P. for R1
Mr.A.Nagarajan for R2 & R3

ORDER

(Order of the Court was made by The Hon'ble Chief Justice)
The learned counsel for the petitioners seeks to withdraw the writ petition. Endorsement has been made.

2. The writ petitions are dismissed as withdrawn. No costs. Consequently, all connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

- 1.The Secretary,
Housing and Urban Development Department,
Fort St. George,
Chennai-600 009.
- 2.The Commissioner,
Corporation of Chennai,
Ripon Buildings,
Chennai-600 003.
- 3.The Executive Engineer,
Town Planning - Enforcement,
Corporation of Chennai, Zone V,
O/o Regional Deputy Commissioner - North,
No.61, Basin Bridge Road,
Chennai-600 021.

4 3 The Executive Engineer
Town Planning Enforcement Corporation of Chennai
O/O. Regional Deputy Commissioner
Central, Pullah Avenue, Shenoy Nagar
Chennai 30

5 Member Secretary
Chennai Metropolitan
Development Authority
No.1 Gandhi Irwin Road,
Egmore, Chennai 8

+1cc to Mr.A. Nagarajan, Advocate, S.R.No.62557
+3cc to Mr.R. Arunmozhi, Advocate, S.R.No.62551,62546 and 62553

sm (CO)
md (18/11/2016)

सत्यमेव जयते

W.P.No.40967 to 40973 of 2015
and 18011 of 2016

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