

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.01.2016

CORAM

THE HON'BLE MR. JUSTICE SATISH K. AGNIHOTRI
and
THE HON'BLE MR. JUSTICE K.K.SASIDHARAN

W.P. No.40976 of 2015
and
M.P.Nos.1 and 2 of 2015

1.R.Ashok Kumar
2.A.Shoba Devci Kothari
3.Praveen Kumar Devda
4.Mamta
5.S.Sohan Raj Achha
6.Padma Achha
7.Ashok Kumar Kothari
8.Shakunthala Kothari ... Petitioners

Vs.

1.Government of Tamil Nadu
rep. by its Secretary to Government,
Housing and Urban Development
Department, Secretariat,
Chennai - 9.
2.Chennai Metropolitan Development
Authority rep. by its
Member Secretary,
No.1, Gandhi Irwin Road,
Egmore, Chennai - 8. ... Respondents

Petition filed under Article 226 of The Constitution of India praying for the issuance of a writ of mandamus directing the respondents to consider and pass order in accordance with law on the petitioner's representation dated 19.12.2015 for desealing and removal of the lock and seal affixed on 18.12.2015 by the second respondent to their premises in first and second floor at Old Door No.45, New Door No.99, Samy Pillai Street, Choolai, Chennai - 112, connecting of four dwelling units as per the sanctioned plan accorded by the Corporation of Chennai and also for restoration of water supply and sewerage and electricity connections for the same and to reseal the unauthorised portion of the above said flats from third floor and above.

For Petitioners .. Mr.L.Chandrakumar
for Mr.E.Martin Jayakumar

For Respondents .. Mr.N.Sakthivel,
Govt. Advocate for R1
Mr.K.Raja Srinivas for R2

ORDER

(Order of the Court was made by SATISH K.AGNIHOTRI, J.)

With the consent of the learned counsel for the parties, the writ petition is taken up for final disposal.

2.The instant writ petition is filed, seeking a direction to the respondents to consider the petitioner's representation dated 19 December 2015 for de sealing and removal of the lock and seal affixed on 18 December 2015 by the second respondent to their premises in first and second floor at Old Door No.45, New Door No.99, Samy Pillai Street, Choolai, Chennai - 112, connecting of four dwelling units as per the sanctioned plan accorded by the Corporation of Chennai and pass orders in accordance with law and also for restoration of water supply, sewerage and electricity connections for the same and to reseal the unauthorised portion of the above said flats from third floor and above.

3.The dispute in respect of the property in question came up for consideration in W.P.No.6741 of 2011, which was disposed of on 21 September 2015 directing the Member Secretary, Chennai Metropolitan Development Authority and the Commissioner, Corporation of Chennai to implement the decision communicated by notices dated 14 May 2010 and 21 November 2010 and report compliance to the Registrar General of this Court within a period of seven days from the date of that order. Thus, we are not inclined to pass any order in this writ petition.

4.With the above observation, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

5.The Member Secretary, Chennai Metropolitan Development Authority and Commissioner, Corporation of Chennai are directed to file compliance report of the order dated 21 September 2015 passed in W.P.No.6741 of 2011, on or before 03 February 2016.

6.List the matter on 04 February 2016 for reporting compliance.

Sd/-
Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

mmi

To

- 1.The Secretary to Government,
Housing and Urban Development
Department, Secretariat,
Chennai - 9.
- 2.The Member Secretary,
Chennai Metropolitan Development
Authority,
No.1, Gandhi Irwin Road,
Egmore, Chennai - 8.
3. The Member Secretary,
Chennai Metropolitan Development Authority
and Commissioner, Corporation of Chennai

- 1 cc to Mr.E. Martin Jeyakumar, Advocate, Sr. 5178
1 cc to Government Pleader, Sr. 5099
1 cc to Mr.K. Raja Srinivas, Advocate, sr. 4381[5/5/16]

सत्यमेव जयते

W.P.No.40976 of 2015

AD (CO)
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