

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.11.2016

CORAM :

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

AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P.No.15013 of 2010

and

M.P.No.1 of 2010

S.Saraswathi

... Petitioner

-vs-

- 1.The Member Secretary,
Chennai Metropolitan Development Authority,
No.1, Gandhi Irwin Road,
Egmore, Chennai-600 008.
- 2.The Executive Officer,
Thiruneermalai Town Panchayat,
Thiruneermalai, Chennai.
- 3.The President,
Thiruneermalai Panchayat,
Thiruneermalai, Chennai.
- 4.Madhumalar
- 5.Vijayakumar
- 6.Rajendran

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the respondents 1 to 3 to pass an order based on the representation given by the petitioner dated 15.4.2010 and consequently directing the 2nd and 3rd respondents to demolish the building/construction put up at Plot No.15 comprised in S.No.377/4, Durga Nagar, Thiruneermalai, Chennai by the 4th and 5th respondents.

For Petitioner : Mr.T.Ramachandran

For Respondents : Mr.N.Sampath for R1
Mr.R.Vijayakumar
Add. G.P. for R2 & R3
Mr.S.V.Karthikeyan for R4 to R6

ORDER

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

The learned counsel for respondent Nos.4 to 6 states that in the civil suit instituted, declaration has been made that the said respondents are only constructing on their own property and not on the property of the petitioner as alleged, which was the substratum of the dispute.

2. That appears to be the reason for the absence on the part of the petitioner.

3. The writ petition is dismissed. No costs. Consequently, M.P.No.1 of 2010 is also dismissed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To

- 1.The Member Secretary,
Chennai Metropolitan Development Authority,
No.1, Gandhi Irwin Road,
Egmore, Chennai-600 008.
- 2.The Executive Officer,
Thiruneermalai Town Panchayat,
Thiruneermalai, Chennai.
- 3.The President,
Thiruneermalai Panchayat,
Thiruneermalai, Chennai.

+1cc to Mr.S.V.Karthikeyan, Advocate Sr.63466
+1cc to M/S.N.Sampath, Advocate sr.63495
+1cc to the Government Pleader sr.63899

W.P.No.15013 of 2010

ug[co]
srg 15/11/2016