

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.11.2016

CORAM

The HON'BLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND
The HON'BLE MR.JUSTICE R.MAHADEVAN

W.P.No.14775 of 2013

G.R.Engineering Works
by its Proprietor
T.Gajaraj
16, Gandhi Street
Kilkattalai
Chennai - 600 117.

... Petitioner

vs.

1. The Member and Secretary
Chennai Metropolitan Development Authority
Chennai - 600 008.

2. The Commissioner
The Pallavaram Municipality
Pallavaram, Chennai - 600 044.

3. Susila

4. Babu

5. T.Narayanan
Proprietor of Annai Builders Real Estate
No.150/151, 4th Floor, North Usman Road
T.Nagar, Chennai - 600 017.
(R4 and R5 impleaded by order
dated 26.11.2013 in MP.No.1/2013)

.. Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of Mandamus directing respondents 1 and 2 not to approve any illicit alteration of existing housing plan in the Plot No.10A in Survey No.286/1A at Gandhi Street, Keelkattalai, Chennai - 117 by the third respondent and constructing of house in the petitioner's approved factory land in S.No.286/2 by Pallavaram Municipality in Resolution No.179/30.9.1974) for area of 98 Sq.Ft. As shown in the copy of original field map and rough sketch as EFIJ of 3 ½ Feet width x 28 feet long.

For Petitioner

: No appearance

For Respondents

: Mr.T.N.Rajagopalan
Special Govt. Pleader
for 1st respondent

Mr.P.Srinivas
for 2nd respondent

ORDER

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

There appears to be a private dispute between the petitioner and the private respondents 3 to 5 in respect of the property in question and restraint order was sought against the first two respondents not to approve the alteration of the existing housing plan.

2. Respondents 4 and 5 were impleaded subsequently and no steps were taken to serve them. None appears for the petitioner.

3. There are stated to be no interim orders.

The petition is dismissed for non prosecution. No costs.

Sd/-
Asst.Registrar (CS VII)

/true copy/

Sub Asst. Registrar

To

1. The Member and Secretary
Chennai Metropolitan Development Authority
Chennai - 600 008.

2. The Commissioner
The Pallavaram Municipality
Pallavaram, Chennai - 600 044.

+1 cc to Mr.N.Sampath, advocate, sr.66598

+1 cc to mr.P.Srinivas, advocate, sr.66470.

rsy(co)
krd 29/11

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