

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.11.2016

CORAM :

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

AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P. No.40602 of 2016

The Diocese of Chengalpet
rep. By Rev.Fr.Shylock Stephen
Property Administrator,
Thimmavaram, Chengalpet-603101 ... Petitioner

-vs-

1.The Chief Executive Officer,
Office of the Contonment Board,
St. Thomas Mount, Chennai.

2.Gopalakrishnan ... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the 1st respondent to take necessary action against the 2nd respondent to stop the illegal construction put up by the 2nd respondent at Hill Road known as Magazine Road, St. Thomas Mount, Chennai and to demolish the unauthorized portion.

For Petitioner : Mrs.Selvi George

For Respondents : Mr.C.Mohan
for King & Partridge for R-1

O R D E R

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

The dispute between the petitioner and the second respondent appears to be a private dispute. Despite that, the Cantonment Board has already issued notice on 17.10.2016 to the father of the second respondent in respect of alleged unauthorised construction under the Cantonments Act, 2006, as the construction is stated to be without sanction under Section 235 of the said Act being an offence under Section 247 of the said Act. Another letter has been issued to the petitioner to the effect that this notice has been issued and also stating that

the unauthorised construction has been erected on R.S.No.1911 and not on R.S.No.1946 as mentioned in the letter of the petitioner.

2.The aforesaid, thus, shows that the first respondent has already taken necessary action and this writ petition, thus, stands closed. No costs.

Sd/-
Asst.Registrar (CS III)

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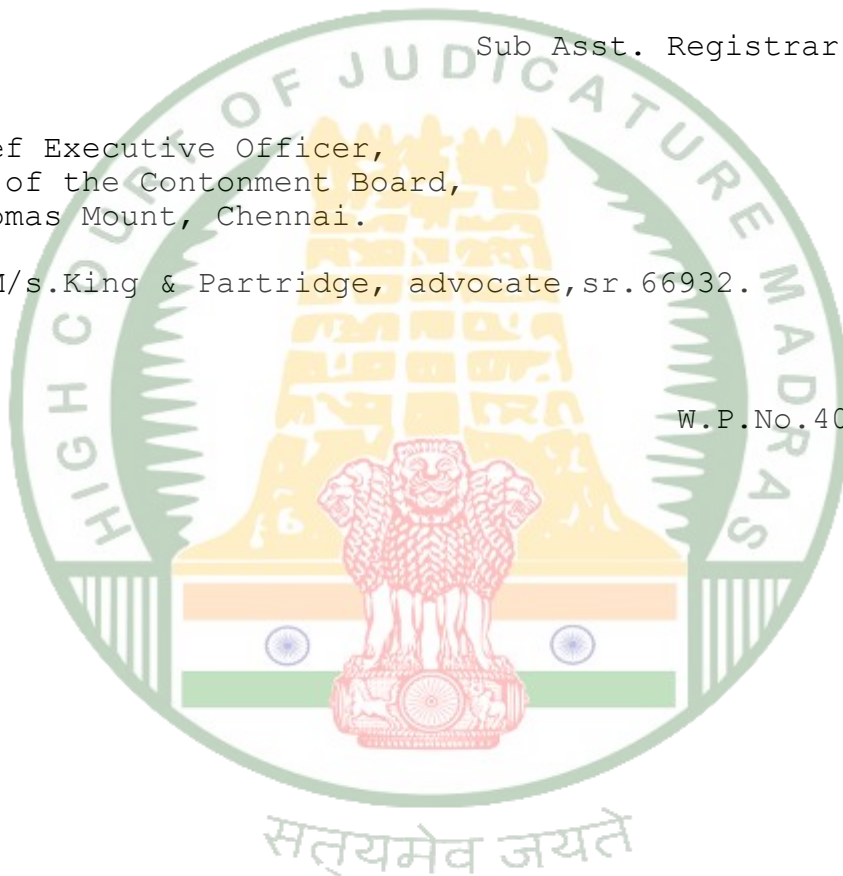
To Sub Asst. Registrar

The Chief Executive Officer,
Office of the Contonment Board,
St. Thomas Mount, Chennai.

+1 cc to M/s.King & Partridge, advocate,sr.66932.

su(co)
krd 30/11

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