

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 05.02.2016

Coram:

The Honourable Mr.SANJAY KISHAN KAUL, CHIEF JUSTICE
and
The Honourable Mr.Justice M.M.SUNDRESH

W.P.No.4314 of 2016

Double Tank Colony Flat Owners
House Service Society (MIG)
represented by its Secretary,
Regd.No.320/83
Model House Road,
K.K.Nagar, Chennai 600 078 ... Petitioner

Versus

1.The Managing Director
Tamil Nadu Housing Board,
Nandanam, Chennai 600 035.

2.The Executive Engineer and ADO,
K.K.Nagar Division,
Tamil Nadu Housing Board,
Ashok Nagar, Chennai 600 083.

3.The Commissioner,
Corporation of Chennai
Rippon Building, EVR Salai,
Chennai 600 003.

4.Double Tank HIG Flat Owner's Association
rep. by its Secretary,
Regd.No.263/88,
Dr.A.Ramaswamy Salai,
Double Tank Colony, K.K.Nagar,
Chennai ... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issue of a writ of Mandamus, forbearing the respondent Nos.1 to 3 respondents from interfering with the petitioner's rights and interest in 26.03 grounds of land in Model House Road, MIG Flats, K.K.Nagar, Chennai -78.

For Petitioner ::: Ms.Chitra Sampath
Senior Counsel for Ms.M.Sneha
For Respondents ::: Mr.V.Anadamoorthy for
R.1 and R.2
Mr.K.Soudararajan for R.3

O R D E R

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

Learned counsel for the petitioner submits that for the time being, they are concerned only with the issue of the gate which has been removed and which leaves open access to third parties. The Housing Board however, submits that the battle over the installation of the gate was fought by the petitioner at the initial state and in the appeal and before the learned single Judge of this Court and the petitioner lost at every stage. As the counter to the submission, learned Senior Counsel for the petitioner submits that the subsequent Full Bench Judgment has altered the position.

2. In view of the aforesaid circumstances, learned counsel for the petitioner agrees to withdraw the present petition with liberty to file a fresh petition setting out all the relevant facts and the specific relief which she seeks.

3. Liberty granted.

4. Writ petition stands dismissed as withdrawn, leaving the parties to bear their own costs. Consequently, connected miscellaneous petition is closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

ksr
To

1.The Managing Director, Tamil Nadu Housing Board,
Nandanam, Chennai 600 035.

2.The Executive Engineer and ADO,
K.K.Nagar Division, Tamil Nadu Housing Board,
Ashok Nagar, Chennai 600 083.

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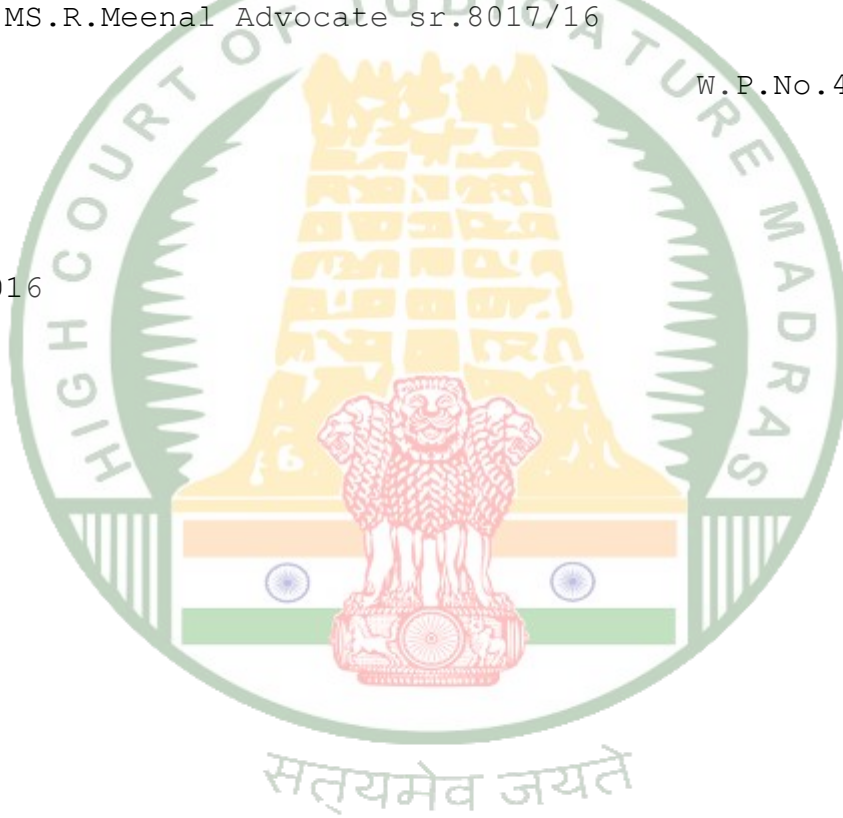
3.The Commissioner, Corporation of Chennai
Rippon Building, EVR Salai,
Chennai 600 003.

4.Double Tank HIG Flat Owner's Association
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Regd.No.263/88,
Dr.A.Ramaswamy Salai,
Double Tank Colony, K.K.Nagar,
Chennai

+1 cc to Ms.M.Sneha Advocate sr.7582/16
+1 cc to Mr.V.Anandamurthy Advocate sr.7640/16
+2 ccs to MS.R.Meenal Advocate sr.8017/16

W.P.No.4314 of 2015

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