

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.12.2016

CORAM

THE HONOURABLE Mr. JUSTICE M.M.SUNDRESH
and
THE HONOURABLE Mr. JUSTICE M.SUNDAR

W.P.No.44240 of 2016

and

W.M.P.No.38086 of 2016

M.Boopathy ... Petitioner

Vs.

1.G.Vaithiyalingam

2.The Commissioner,
Greater Corporation of Chennai,
Rippon Building, Chennai.

3.The Zonal Offier,
Zone-X,
Greater Corporation of Chennai,
No.117, N.S.K.Salai, Kodambakkam,
Chennai-600 024.

4.The Tahsildar,
Mambalam Taluk Office,
Mambalam, Chennai-600 033.

5.The Executive Officer,
Arulmigu Vadapalani Andavar Temple,
Palani Andavar Koil street,
Vadapalani,
Chennai-600 026. ... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India praying to issue a Writ of Certiorari to call for the records of the third respondent notice ZOXC No.8409/2016 dated 06.09.2016 and quash the same.

For Petitioner : Mr.K.Seetha Ram

For Respondents : Mr.V.C.Selvasekaran for R2 & R3

Mr.R.Vijayakumar
Addl. G.P. for R4 & R5

O R D E R

(Order of the Court was made by M.M.SUNDRESH, J.)

In pursuant to the order passed by this Court at the instance of respondent No.1 in W.P.No.26087 of 2016 dated 18.08.2016, respondent No.3 has initiated enquiry by calling the petitioner to appear along with the records on the specified date - 12.09.2016. Challenging the said notice, the present writ petition has been filed.

2. The learned counsel for the petitioner submits that the petitioner did appear along with the records. However, without passing any final order, an attempt is being made to demolish the construction put up.

3. The learned counsel for respondent Nos.2 and 3 submits that any action would be taken only after complying with the orders passed by this Court in the earlier writ petition in W.P.No.26087 of 2016 by passing appropriate orders, after notice to all concerned.

4. Accordingly, the writ petition stands disposed of by directing respondent No.3 to pass a final order, if not passed, within a period of six weeks from the date of receipt of the copy of this order in compliance with the earlier direction issued in W.P.No.26087 of 2016 dated 18.08.2016. Needless to state that till passing of such a final order, "status qua" as on date shall be maintained. No costs. Consequently, W.M.P.No.38086 of 2016 is closed.

5. We make it clear that if the order has already been passed and communicated to the petitioner, then this order will not stand in the way of respondent No.3 from proceeding further as per law.

Sd/-

Assistant Registrar(CS IV)

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Sub Assistant Registrar

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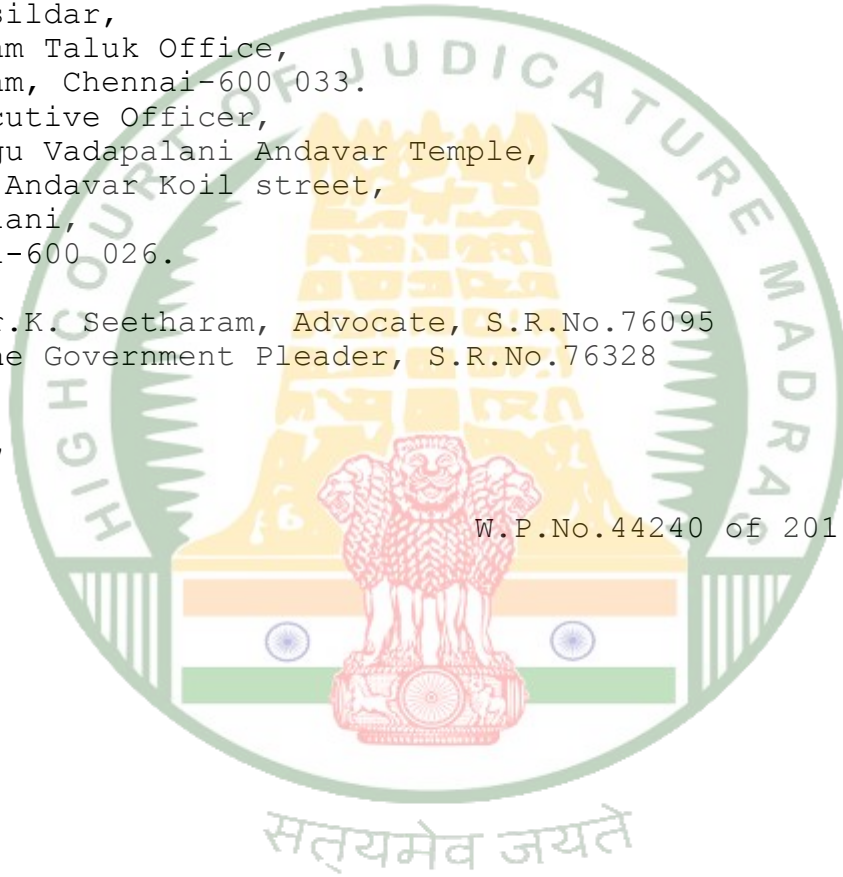
To

- 1.The Commissioner,
Greater Corporation of Chennai,
Rippon Building, Chennai.
- 2.The Zonal Officer,
Zone-X, Greater Corporation of Chennai,
No.117, N.S.K.Salai, Kodambakkam,
Chennai-600 024.
- 3.The Tahsildar,
Mambalam Taluk Office,
Mambalam, Chennai-600 033.
- 4.The Executive Officer,
Arulmigu Vadapalani Andavar Temple,
Palani Andavar Koil street,
Vadapalani,
Chennai-600 026.

+1cc to Mr.K. Seetharam, Advocate, S.R.No.76095
+1cc to the Government Pleader, S.R.No.76328

GJII(CO)
EU 24.1.17

W.P.No.44240 of 2016



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