

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.04.2017

CORAM :

The Hon'ble Ms.INDIRA BANERJEE, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE M.SUNDAR

W.P. No.8202 of 2017

and

W.M.P.No.8962 and 8963 of 2017

Bhuvaneswari alias Selvi .. Petitioner

-vs-

- 1.The Commissioner,
Corporation of Chennai,
Chennai-3.
- 2.The Executive Engineer
(Enforcement-Region Central)
Greater Chennai Corporation,
Zonal Office-IX, No.1, Lake Area
4th Cross Street, Nungambakkam,
Chennai 600 034.
- 3.The Assistant Executive Engineer/
Unit-25, Greater Chennai
Corporation, Zonal Office-IX,
No.1, South Mada Street,
Chithrakulam, Mylapore,
Chennai-4.
- 4.The Assistant Engineer,
Division-123, Greater Chennai
Corporation, Zonal Office-IX,
No.29, C.P.Ramaswamy Salai,
Alwarpet, Chennai 600 018.
- 5.Junior Engineer,
Division-123, Greater Chennai
Corporation, Zonal Office-IX,
No.29, C.P.Ramasamy Salai,
Alwarpet, Chennai 600 018.

6.The Government of Tamilnadu,
Rep. By its Secretary, Housing
& Urban Development Department,
Secretariat, Fort St. George,
Chennai 600 009.
(Suo motu impleaded vide the order
dt.6.4.2017 in WP)

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorari to call for the records relating to the impugned notice of demolition issued by the second respondent for 'Locking and Sealing and Demolishing Notice' - bearing No.Zone.09/ TPENF/05/2017 Dt.14.3.2017 under section 56, 57 read with Sec.85 of the Tamilnadu Town and Country Planning Act, 1971, as amended by Act 61/2008 and quash the same.

For Petitioner : Mr.G.Muthukrishnan
For Respondents : Mr.V.C.Selvasekaran
Stg. Counsel for RR 1 to 5
: Mr.R.Vijayakumar
Addl.G.P. for R-6

O R D E R

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

After some arguments, learned counsel for the writ petitioner says that he would withdraw the writ petition for the purpose of filing a statutory revision under Section 80-A of the Town and Country Planning Act, 1971.

2.The said leave is granted. If the writ petitioner chooses to file the said revision under Section 80-A, the same shall be considered in accordance with law.

3.We also notice that the revisional authority, which is the State Government, rep. by its Secretary, Housing and Urban Development Department, has not been arrayed as one of the respondents in this writ petition. Accordingly, we add the revisional authority, being The Government of Tamilnadu, Rep. by its Secretary, Housing & Urban Development Department, Secretariat, Fort St. George, Chennai 600009, as the sixth respondent in this writ petition. Memo of parties be amended suitably by the Registry.

4.Writ petition is, accordingly, dismissed as withdrawn subject only to the leave granted supra. No costs. Consequently, W.M.P.Nos.8962 and 8963 of 2017 are also dismissed.

Sd/-
Assistant Registrar(AS)

//True Copy//

Sub Assistant Registrar

sra

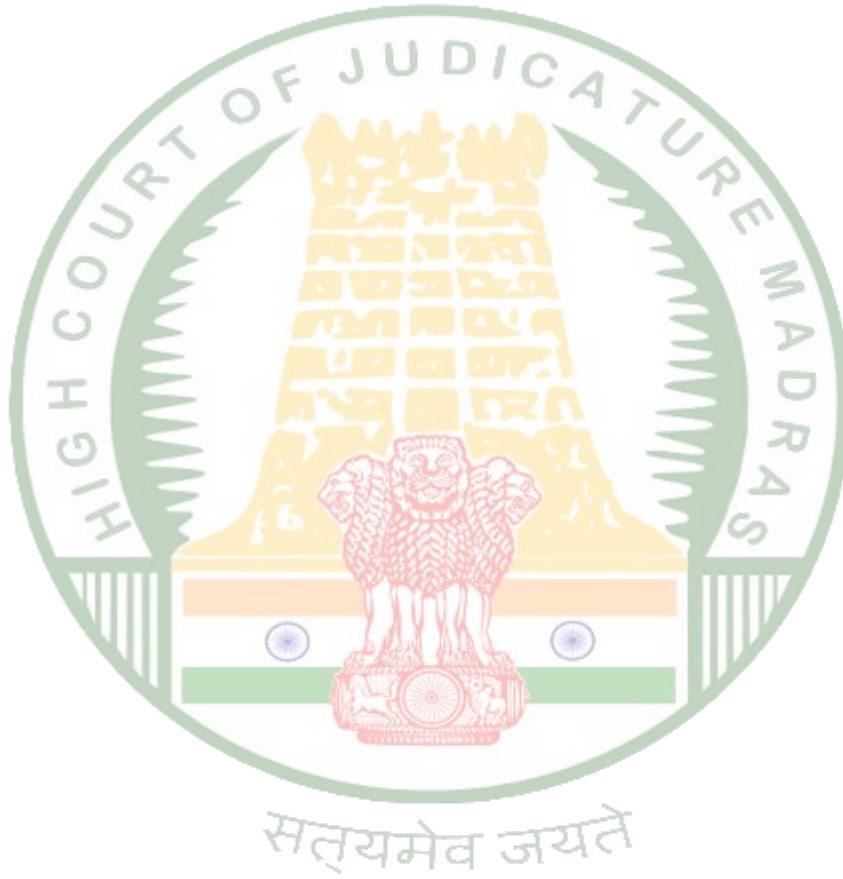
To

- 1.The Commissioner,
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6.The Secretary ,
Housing & Urban Development Department,
Secretariat, Fort St. George,
Chennai 600 009.

W.P.No.8202 of 2017

VGI (CO)
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