

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.12.2017

CORAM:

THE HON'BLE MR. JUSTICE M.SATHYANARAYANAN
And
THE HON'BLE MR.JUSTICE N.SESHASAYEE

W.P.No.30669 of 2017

M/s.Vaishnavi Enterprises,
Rep. by its Partner Mr.Muthukumar,
No.513, 2nd Main Road,
Swami Nathan Nagar,
Kottivakkam, Chennai-600 041. ... Petitioner

vs.

- 1.The District Collector,
Kancheepuram District, Kancheepuram.
- 2.The Director of Town and Country Planning,
No.535, Anna Salai, Chennai-600 035.
- 3.The Chennai Metropolitan Development Authority,
Rep. by its Members Secretary,
No.1, Gandhi Irwin Road,
Egmore, Chennai-600 008.
- 4.The Kottivakkam Panchayat,
Rep. by its President, Kottivakkam, Chennai-41.
- 5.The St.Thomas Mount Panchayat Union,
Rep. by its Commissioner,
No.1, Chitlapakkam 1st Main Road,
Chitlapakkam, Chennai-600 064.
- 6.The Commissioner,
Corporation of Chennai,
Rippon Building, Chennai-600 003.
- 7.Mr.Sony George,
Harrington Road, No.14, Nungambakkam,
Chennai.
- 8.Vaidehi Nagar Residents Welfare Association,
Kottivakkam, Chennai. ... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents 1 to 6 to defer the act of demolition of the building in the land in Survey No.256/2, Kottivakkam Village, Chennai-600041, forming part of an approved layout bearing Reg.No.LDPM/DDTP/17/68 pursuant to order dated 14.09.2017 in W.P.No.18196/2011 for a period of two months pursuant to our representation dated 22.11.2017.

For Petitioner : Mr.K.N.Selvabharathi

For Respondents : Mr.A.N.Thambidurai,
Special Govt. Pleader for R1 and R2

Mr.N.Sampath for R3

Mr.K.Soundararajan for R6

Mr.T.Mohan for R8

O R D E R

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

The learned counsel appearing for the petitioner would submit that despite pendency of the writ petition, they were compelled by the officials of Corporation to remove the machineries and left with no other open, they removed the machineries and prays for liberty to workout their remedy in accordance with law before the competent forum.

2. The learned Standing Counsel appearing for the Corporation of Chennai would submit that the petitioners had voluntarily removed the machineries and the building in question will be demolished for restoring it as land reserved for public amenities.

3. In the light of the same, nothing survives for adjudication in this writ petition. Hence, this Writ Petition is closed. However, if the petitioner is so advised and if it is available to them under law, they are at liberty to workout their remedy in accordance with law before the competent forum.

Sd/-

Assistant Registrar

//True copy//

Sub Assistant Registrar

jvm

TO

- 1.The District Collector,
Kancheepuram District,
Kancheepuram.
 - 2.The Director of Town and Country Planning,
No.535, Anna Salai, Chennai-600 035.
 - 3.The Member Secretary,
The Chennai Metropolitan Development Authority,
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 - 4.The President,
The Kottivakkam Panchayat, Kottivakkam, Chennai-41.
 - 5.The Commissioner,
The St.Thomas Mount Panchayat Union,
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 - 7.Mr.Sony George,
Harrington Road, No.14, Nungambakkam, Chennai.
 - 8.Vaidehi Nagar Residents Welfare Association,
Kottivakkam, Chennai.
- +1cc to Mr.N.Sampath, Advocate SR.No.86613
+1cc to Mr.K.Soundararajan, Advocate SR.No.87229
+1cc to Mr.K.M.Selvbharathi, Advocate SR.No.87574
+1cc to Government Pleader SR.No.87421

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GN(21/12/2017)

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