

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2017

CORAM:

THE HONOURABLE MR.JUSTICE C.T.SELVAM  
AND

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

W.P.No.24496 of 2017

I.H.Sekar

... Petitioner

- Vs -

1. The Member & Secretary,  
Chennai Metropolitan Development Authority,  
Gandhi Irwin Road,  
Egmore, Chennai-600 008.
2. The Commissioner,  
Chennai City,  
Corporation of Chennai,  
Rippon Building,  
Chennai-600 003.
3. The District Collector,  
Kancheepuram District,  
Kancheepuram.
4. Injambakkam VGP Layout Owners Association,  
Plot No.48, 2<sup>nd</sup> Cross Road,  
VGP Layout,  
Injambakkam,  
Chennai-600 041.  
rep by its Member A.Franklin Rajesh

5. VGP Housing Pvt. Ltd.,  
No.6, VGP Square,  
Dharmaraja Koil Street,  
Saidapet, Chennai-600 015.

(R4 & R5 impleaded as per order of this Court  
dated 31.10.2017).

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 3 to take immediate appropriate action undertaking the said community hall, situated at undertake control 2<sup>nd</sup> respondent, Chennai City Corporation, VGP Layout Injambakkam, Sholinganallur Taluk and Kanchipuram District within the jurisdiction of Chennai City Corporation Limited.

For Petitioner : Mr.I.H.Sekar  
Party-in-Person

For Respondents :R1-Mr.Raja Srinivas  
R2-Mr.G.Anantharangan  
R3-Mr.S.N.Parthasarathy  
Government Advocate.  
R5-Mr.K.Balamurali  
for M/s.Shivakumar & Suresh

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O R D E R

[Order of the Court was made by C.T.SELVAM, J.]

This writ petition seeks issuance of a Writ of Mandamus to the respondents 1 to 3 to take immediate action for undertaking the community hall, under the control of 2<sup>nd</sup> respondent, Chennai City Corporation, VGP Layout Injambakkam, Sholinganallur Taluk and Kanchipuram District, within the jurisdiction of Chennai City Corporation Limited.

2. In the light of the order passed by second respondent in its proceedings in Na.Ka.No.A9/7545/2016 dated 07.06.2017 to the effect that "Rules of the Chennai Metropolitan Development Authority, Rules of Town and Country Planning Department, report of Zonal Officer of Zone-15 and report of Executive Engineer, Zone-15 and documents submitted at the time of the Enquiry, have been considered; based on this, Community Hall mentioned by petitioner is found in allotment of V.G.P. Layout, shops/Community Hall in 15 Grounds 1625 sq.ft and as per the Rules of Chennai Metropolitan Development Authority, the said layout was owned by V.G.P. Housing Limited and it was also found that the said open space land was earmarked for Park and Children's playground. Hence, petitioner's request is rejected", the present writ petition does not survive consideration.

3. The writ petition is disposed of with liberty to petitioner to challenge the order dated 07.06.2017 if such a course is considered appropriate. No costs.

-Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar

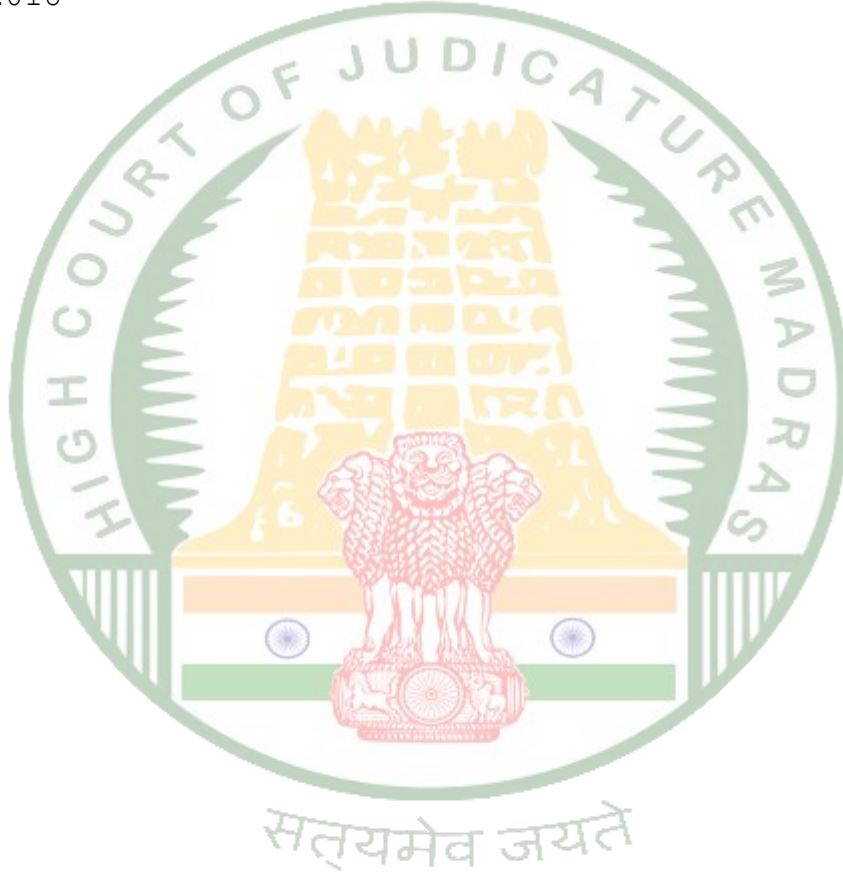
1. The District Collector,  
Kancheepuram District,  
Kancheepuram.

1 cc to M/s.Shivakumar & Suresh, Advocate Sr.No. 88249

1 cc to Mr.I.H.Sekar (Party -in -Person) Sr.No.88377

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CI (KJI)  
KP 05/02/2018



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