

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.01.2017

CORAM

THE HON'BLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND

THE HON'BLE MR.JUSTICE M.SUNDAR

W.P.No.376 of 2017

Trichy S.Sankaran

... Petitioner

Vs.

1. The Commissioner
Corporation of Chennai
Rippon Building, Chennai-3
2. The Executive Engineer/Zone IX
Corporation of Chennai - Zonal Office
Nungambakkam, Chennai-34.
3. The Assistant Engineer
Division 123, Corporation of Chennai
C.P.Ramasamy Road
Mylapore, Chennai-4.

.... Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a writ of Certiorarified Mandamus calling for the records in respect of De-occupation Notice No.Zone IX/TPENF/ 0016/2016, dated 26.12.2016 on the file of the 2nd respondent, quash the same and direct the respondents to permit the petitioner to retain the alleged deviated portion of the building.

For Petitioner

: Mr.S.V.Jayaraman
Senior Counsel
for Mr.R.Sethuvarayar

For Respondents

: Mr.V.C.Selvasekaran
for respondents 1 to 3

ORDER

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

The petitioner has been residing in Canada and comes to India once a year. The respondents, thus, cannot be blamed for the petitioner having not received the notice personally.

2. The learned counsel for the petitioner states that even now if a copy of the order dated 2.10.2011 is handed over to the petitioner, the petitioner may take recourse to remedy as available in law.

3. The learned counsel for the respondent Corporation states that the copy of that order would be handed over to the petitioner within two days. It is further stated that since the petitioner has made a representation, the same will also be examined.

The aforesaid statement is taken on record and the writ petition is disposed of. No costs. Consequently, WMP No.406 of 2017 is closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To:

1. The Commissioner
Corporation of Chennai
Rippon Building
Chennai-3
2. The Executive Engineer/Zone IX
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Division 123, Corporation of Chennai
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Mylapore, Chennai-4.

+1cc to Mr.R.Sethuvarayar, Advocate, S.R.No.1427
+1cc to the Government Pleader, S.R.No.2048

W.P.No.376 of 2017

RSY(CO)
CA(18/01/2017)