

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.10.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.3049 of 2002

A.M.Duraivelu,
Chairman,
Villivakkam Panchayat Union,
at Ambattur, Tiruvellore District.

... Petitioner

Vs.

1. State of Tamil Nadu,
represented by Secretary to Govt,
Housing and Urban Development
Department, Fort St. George,
Chennai-600 009.

2. Chennai Metropolitan Development Authority,
represented by its Member Secretary,
8 Gandhi Irwin Salai,
Egmore, Chennai-600 008.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorari to call for the records comprised in the proceedings of the first respondent in G.O.Ms.No.71, Housing and Urban Development dated 25.02.1999 and of the second respondent dated 15.03.1999 in Proceedings No.RTI/23815/97 and quash the same as ultra vires the provisions of the Tamil Nadu Panchayats Act, 1994 and the Tamil Nadu and Country Planning Act.

For Petitioner : Mr.Rahul Balaji

For Respondents : Mr.Akhil Akbar Ali,
Government Advocate for R1
Mr.N.Sampath for R2

ORDER

The Writ Petition has been filed in individual capacity indicating the petitioner as the Chairman of the Villivakkam Panchayat Union at Ambattur, Thiruvellore District. Admittedly,

the petitioner is no longer the Chairman of the Villivakkam Panchayat Union, which has since been merged with the Corporation of Chennai. Hence, the relief sought for by the petitioner, at this stage, is not maintainable. The Writ Petition is accordingly dismissed. However, the legal issues raised by the petitioner in this Writ Petition is left open to be canvassed in appropriate case before appropriate forum in accordance with law. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

cs

To:

1. The Secretary to Government,
Housing and Urban Development Department,
Fort St. George,
Chennai-600 009.
2. The Member Secretary,
Chennai Metropolitan Development Authority,
8 Gandhi Irwin Salai,
Egmore, Chennai-600 008.

+lcc to Mr.N.Sampath, Advocate, S.R.No.74208
+lcc to the Government Pleader, S.R.No.74747

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PVS(CO)
CA(22/11/2017)

सत्यमेव जयते

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