

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.08.2017

CORAM

THE HON'BLE Mr. JUSTICE M.DURAISWAMY

W.P.No.19714 of 2017 and
W.M.P.No.21268 of 2017

India Silk House (P) Ltd.,
rep by its Managing Director
Pritam Lalchand Mahtani,
846, Anna Salai, Chennai - 600 002. ... Petitioner

Vs.

- 1.The Member Secretary,
Chennai Metropolitan Development Authority,
Egmore, Chennai - 600 008.
- 2.Anjuman-E-Mufid-E-Ahl-Islam Trust
rep by Syed Khaleefathullah,
846, Anna Salai, Chennai - 600 002. Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing the 1st respondent to consider and pass appropriate orders on the petitioner's representation dated 03.06.2017.

For Petitioner : Mr. Shanmugam for M/s. Shanmugha Associates

For Respondent : Mr. K. Raja Srinivas (R1)

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O R D E R

Mr. K. Raja Srinivas, learned counsel takes notice for the 1st respondent. By consent, the main Writ Petition is taken up for disposal at the admission stage itself.

2. Mr. Shanmugam, learned counsel appearing for the petitioner submitted that inspite of the petitioner's representation dated

03.06.2017 to initiate action against the 2nd respondent, who is attempting to convert the Heritage Building "India Silk House Building" into one of Training Centre by altering and destructing the existing structure of the Heritage Building instead of preserving the Heritage Building as per the directions of the CMDA, thereby, directing the 2nd respondent not to precipitate the issue further against the decision of the Heritage Committee constituted by the Government of Tamil Nadu, consequent to the directions of this Court in W.P.No.25306 of 2006 dated 29.04.2010, the 1st respondent has not considered the said representation yet.

3.Mr.K.Raja Srinivas, learned counsel appearing for the 1st respondent submitted that the 2nd respondent has also filed a suit against the petitioner for recovery of possession, which is also pending. The learned counsel further submitted that the 1st respondent may be directed to consider the petitioner's representation and also the pending litigation between the 2nd respondent and the petitioner and pass orders in accordance with law.

4.Having regard to the submissions made by the learned counsel on either side, without expressing any opinion with regard to the merits of the case, I direct the 1st respondent to consider the petitioner's representation dated 03.06.2017 and pass orders in accordance with law, after taking into consideration the litigation pending between the 2nd respondent and the petitioner and also the order passed by this Court in W.P.No.25306 of 2006 dated 29.04.2010, after giving notice to the petitioner as well as the 2nd respondent, within eight weeks from the date of receipt of a copy of this order.

5.With these observations, the Writ Petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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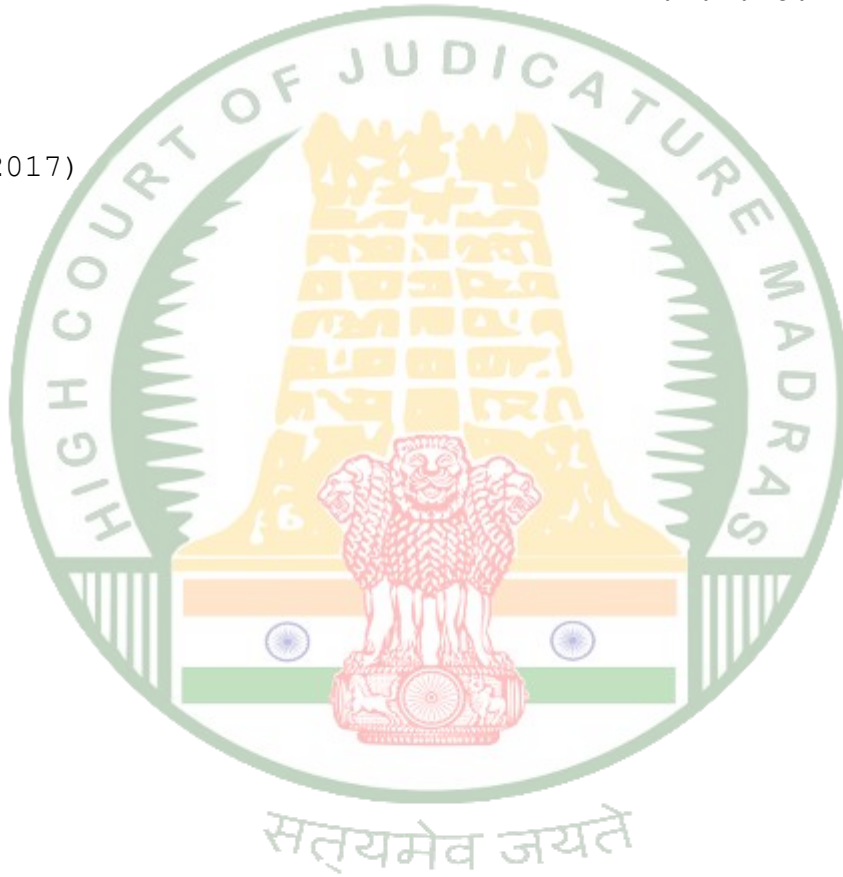
To

1. The Member Secretary,
Chennai Metropolitan Development Authority,
Egmore, Chennai - 600 008.

+1cc to M/s.Shanmugha Associates, Advocate, S.R.No.54821

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AR(CO)
CU(07/08/2017)



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