

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.01.2017

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE M.SUNDAR

W.P. No.3927 of 2013

and M.P.No.1 of 2013

1.D.Rajappa

2.R.Jayalakshmi

.. Petitioners

-vs-

1.State of Tamil Nadu,

Rep. by Secretary to Government,
Housing & Urban Development Dept.,
Fort St. George, Chennai 600 009.

2.The Member Secretary,

Chennai Metropolitan Development
Authority, 'Thalamuthu Natarjan
Building', No.1, Gandhi-Irwin Road,
Egmore, Chennai 600 006.

3.The Executive Officer,

Naravarikuppam Town Panchayat,
Redhills, Chennai 600 052.

4.B.Dalayan

(R-4 impleaded as per order dt.
12.04.2016 in MP.2/2013)

5.K.Alagar Perumal

(R-5 impleaded as per order dt.
12.01.2017 in WMP.17151/2016)

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorari to call for the records relating to the demolition notice No.258 of 2012.A3 dated 29.01.2013 issued by the 3rd respondent and locking and sealing and de-occupation notice issued in Letter No.EN3/33859/2004 dated 01.02.2013 issued by the 2nd respondent and quash the same.

For Petitioners : Mr.R.Ananda Kumar
For Respondents : Mr.T.N.Rajagopalan
Spl.G.P. For R-1
: Mr.C.Johnson for R-2
: Mr.P.S.Sivashanmugasundaram
for R-3
: Mr.B.Natarajan for R-4
* * * * *

O R D E R

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

The endeavour of the petitioner to seek regularisation has on earlier occasions proved to be unsuccessful right till the Hon'ble Supreme Court. The petitioners have sought the remedy of a review under Section 113-C now, but then this Court had already held that the said remedy is an illusionary in view of the absence of rules and regulations (vide order in W.P.No.35514 of 2016 (S.Edison vs. Secretary to Government, Housing and Urban Development Department and others) decided on 07.10.2016).

2.The prayer only being a restraint against taking action in respect of the aforesaid application pending, we find no merit in the petitions.

Writ petitions, accordingly, stand dismissed. No costs. Consequently, M.P.No.1 of 2013 also stands dismissed.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

To

- 1.The Secretary to Govt. of Tamil Nadu,
Housing & Urban Development Dept.,
Fort St. George, Chennai 600 009.
- 2.The Member Secretary,
Chennai Metropolitan Development
Authority, 'Thalamuthu Natarajan
Building', No.1, Gandhi-Irwin Road,
Egmore, Chennai 600 006.
- 3.The Executive Officer,
Naravarikuppam Town Panchayat, Redhills, Chennai 600 052.
+1 cc to mr.C.Johnson, advocate, sr.3296.
rj(co)
krd 17/2

W.P.No.3927 of 2013