

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2017

CORAM:

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.35407 of 2004

N.Nazir Ahamed Khan

... Petitioner

vs.

1. The Member Secretary,
Chennai Metropolitan
Development Authority,
Thalamuthu Natarajan Building,
Gandhi Irwin Road, Chennai 600 008.
 2. The Commissioner,
Corporation of Chennai,
Ripon Building,
Chennai 600 003.
 3. The Secretary to Government,
Housing Board & Urban
Development Department,
Chennai 600 009.
- Respondents

(R3 suo motu impleaded as per order dated 30.10.2017 in
W.P.No.35407/2004)

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of certiorari, calling for the records of the 1st respondent relating to the demolition notice Form No.(Sec. 56) Letter No.Ec3/14053/2004, dated 08.10.2004 at Door No.5, Govindasamy Street, M.G.R. Nagar, Chennai 600 078, and quash the same.

For Petitioner : No appearance for Mr.S.Sundar
For 1st Respondent : Mr.N.Sampath
For 2nd Respondent : Mr.T.C.Gopalakrishnan

O R D E R

The petitioner has come up with this Writ Petition seeking to quash the demolition notice, dated 08.10.2004 issued by the 1st respondent pertaining to demolition of his building at Door No.5, Govindasamy Street, M.G.R. Nagar, Chennai 600 078.

2. When the matter was taken up for hearing on 30.10.2017, there was no representation for the petitioner. Hence, the matter was directed to be listed 'for dismissal' on 06.11.2017. Today, when the matter is listed under the said caption, none represented the petitioner. Hence, this Writ Petition is dismissed for default.

3. However, the authorities concerned, are directed to take steps to demolish the building in question within a period of 15 days from the date of receipt of a copy of this order, failing which, it is open to the higher officials to take departmental action against the persons concerned, who are responsible for demolition and take disciplinary action against them, which shall form part of their service records. The demolition report shall be furnished by the 2nd respondent/Corporation to this Court within a period of one month from the date of receipt of a copy of this order.

No costs. Consequently, connected W.P.M.P.No.42653 of 2004 is closed.

Sd/-

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

(aeb)

To:

1. The Member Secretary,
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Building,
Gandhi Irwin Road, Chennai 600 008.
 2. The Commissioner,
Corporation of Chennai,
Ripon Building,
Chennai 600 003.
 3. The Secretary to Government,
Housing Board & Urban Development Department,
Chennai 600 009.
 4. The Section Officer, Writ Section, High Court, Madras.
(for Reporting compliance)
- + 1 cc to MR. N. Sampath, Advocate SR.81195(23.1.18)
+ 1 cc to Mr. Mr.T.C.Gopalakrishnan, Advocate SR.81247(23.1.18)

W.P.No.35407 of 2004

(CS)-VIII
EU(23/01/2018)