

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.36932 of 2003
and
W.P.M.P.No.44851 of 2003

1. A.Radhakrishnan (died)
2. Mrs.R.Vijayalakshmi
3. R.Chezian
4. D.Poonghodi
5. Mrs.S.Malarkodi

(Petitioners 2 to 5 are Rep. by Power of Attorney
Mrs.R.Vijayalakshmi, and are substituted
as LRs of the deceased first petitioner A.Radhakrishnan
as per order dated 26.07.2017 in
W.P.M.P.No.258 of 2009 in W.P.No.36932 of 2003)

.. Petitioners

Vs.

1. The Member Secretary,
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Maligai,
No.8, Gandhi Irwin Road,
Egmore, Chennai-600 008.

2. The Corporation of Chennai,
Represented by its Commissioner,
Chennai-3.

(Respondent No.2 suo motu impleaded as per order
dated 07.07.2017 in W.P.No.36932 of 2003)

3. Mr.A.Krishnaveni
(Respondent No.3 impleaded as per order
dated 26.07.2017 in W.P.M.P.No.258 of 2009
in W.P.No.36932 of 2003)

.. 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 leading to the impugned

proceedings of the first respondent in EC2/37922/2000, dated 04.12.2003 issued under Sections 56 and 57 read with Section 85 of the Tamil Nadu Town and Country Planning Act, 1971, pertaining to the petitioner's property at Door No.5A, Lakshmikanthan Street, T.Nagar, Chennai-600 017 and quash the same.

For Petitioners : Ms.R.Ramya

For Respondents : Mr.K.Raja Shirinivas for R-1

Mr.V.C.Selvasekaran for R-2

ORDER

The petitioner is challenging the demolition notice issued by the first respondent in respect of the building in question. It is represented by the learned counsel for the petitioners that the entire case bundle had been returned to the legal heirs of the deceased first petitioner. Therefore, it is open for the first respondent-CMDA to issue fresh notice to the legal heirs of the deceased petitioner or the persons who are in occupation of the premises in question, and if there are any violations, it is open for the respondents 1 and 2 to demolish the building in question in accordance with law. With these observations, the Writ Petition is disposed of. No costs. W.P.M.P. is closed.

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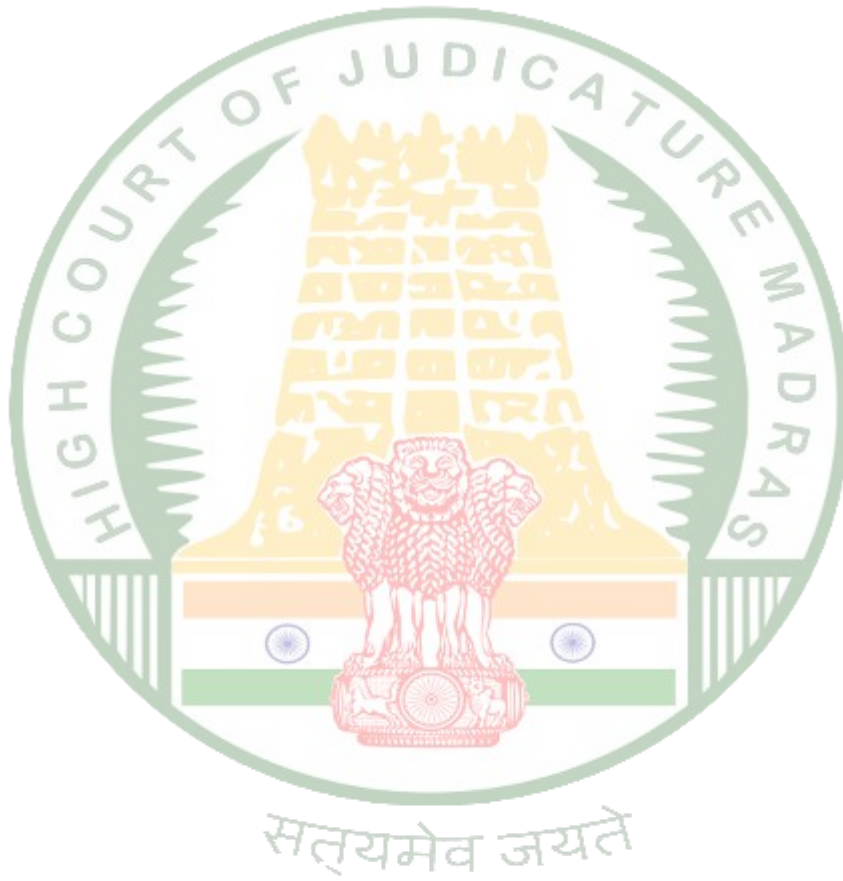
28.07.2017

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1. The Member Secretary,
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Maligai,
No.8, Gandhi Irwin Road,
Egmore, Chennai-600 008.

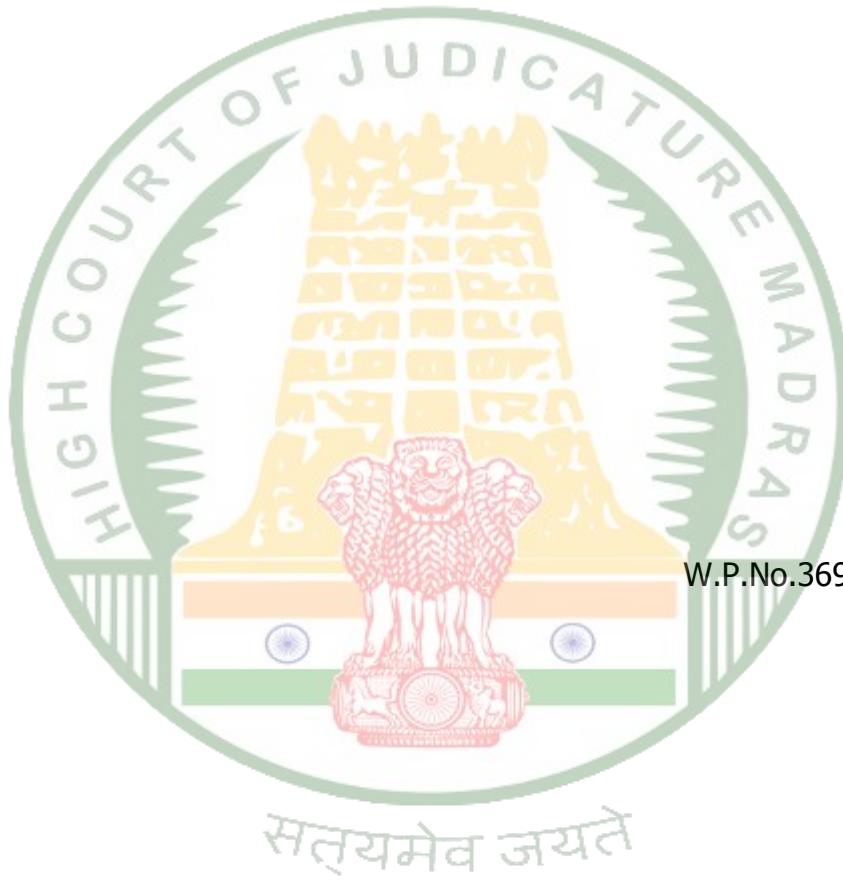
2. The Corporation of Chennai,
Represented by its Commissioner,
Chennai-3.



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S.VAIDYANATHAN, J

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W.P.No.36932 of 2003

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