

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.6282 OF 2009

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking the following relief:

“to issue a writ order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents herein in trying to protrude to an extent of 1.5 meters over and above the required norm of maintaining a distance of 6.1 meters from the centre of the 30 ft. width main road to the compound wall of the structure as is required under the Regulations is wholly arbitrary and illegal and consequently, the respondent Authorities may be directed to conform to the Regulation and if in any event any extra area is required for road widening, the same shall be acquired only on payment of compensation to the land acquired as is being done in respect of acquisition of any private land.”

2. The main prayer of the petitioners is to direct the respondents not to demolish the compound wall constructed by them without following the due process of law.

3. Heard.

4. On 23.4.2009, this Court granted an order of *status quo*. Considering all the facts and circumstances of the case, the respondents are directed not to demolish the compound wall of the petitioners without following the due process of law. The respondents shall issue notice to the petitioners if they intend to demolish the same.

5. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

6. Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE RAJA ELANGO

31.1.2017
AMD



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Date: 31.1.2017

AMD