

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE C.T.SELVAM
AND

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

Writ Petition No.10129 of 2017
and

W.M.P.No.11113 of 2017

Barbican Resident's Association,
(Reg.No.79/2001)
represented by its Treasurer,
Mrs.Mohini Sriram,
W/o.Mr.S.Sriram,
No.231/A, Kilpauk Garden Road,
Kilpauk, Chennai - 600 010. ... Petitioner

- Vs -

- 1.The Member Secretary,
Chennai Metropolitan Development Authority,
'Thaalamuthu Natarajan Maaligai',
Gandhi Irwin Road,
Egmore, Chennai - 600 008.
- 2.The Commissioner,
Greater Corporation of Chennai,
Rippon Buildings, Chennai - 600 003.
- 3.The Regional Director,
Greater Corporation of Chennai,
Regional Office - Central,
2nd Cross Street, (East),
Pulla Avenue, Shenoy Nagar,
Chennai - 600 030.
- 4.The Assistant Commissioner of Police (Traffic),
E.V.K.Sampath Salai,
Vepery, Chennai - 600 007.
- 5.The Assistant Commissioner of Police,
(Law & Order),
Vepery, Chennai - 600 007.

6.The Inspector of Police,
Kilpauk Police Station,
Chennai - 600 010.

7.The Assistant Elementary Education Officer,
Egmore, Chennai - 600 008.

8.Mr.Rajendran Sabanayagam,
No.14, Bishop Garden,
R.A.Puram, Chennai - 600 028.

9.UNI HEIGHTS

International Kindergarten,
represented by its Authorized Signatory,
No.227, Kilpauk Garden Road,
Kilpauk, Chennai - 600 010.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing respondents 1 to 7 to act forthwith on the Petitioner Association representation dated 27.02.2017 and immediately take necessary statutory action against the unauthorised construction/conversion to stop the establishment of Kindergarten School/Play School in the name and style of "UNI HEIGHTS" International Kindergarten or in any manner by the respondents 8 and 9 at the residential house situated at No.227, Kilpauk Garden Road, Kilpauk, Chennai - 600 010.

For Petitioner : Mr.S.L.Sudarsanam

For Respondents : Mr.Karthik Raja [R1]

Mr.A.Nagarajan [R2 & R3]

Mr.E.Manoharan,

Additional Government Pleader [R4 to R7]

Mr.S.Sivashanmugam [R8]

M/s.Gridhar & Sai [R9]

O R D E R

[Order of the Court was made by C.T.SELVAM, J]

Petitioner seeks issuance of a Writ of Mandamus directing respondents 1 to 7 to act forthwith on the Petitioner Association representation dated 27.02.2017 and immediately take necessary statutory action against the unauthorised construction/conversion to stop the establishment of Kindergarten School/Play School in the name and style of "UNI

HEIGHTS" International Kindergarten or in any manner by the respondents 8 and 9 at the residential house situated at No.227, Kilpauk Garden Road, Kilpauk, Chennai - 600 010.

2. Heard learned counsel on both sides.

3. Learned counsel for eighth respondent informs that all requisite permission in respect of the building, which houses the play school, stand obtained and learned counsel for ninth respondent submits that all requisites towards conducting the operations of Kindergarten Play School stand complied with. Learned counsel for respondents 8 and 9 affirming as above, inform that they have no objection to consideration of the petitioner's representation dated 27.02.2017 as prayed for.

4. Accordingly, it will be open to the second respondent to consider the representation of the petitioner dated 27.02.2017 in keeping with the status vis-a-vis, the matter as on date.

The Writ Petition is disposed of with the above direction. No costs. Connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

gm

To

1.The Assistant Commissioner of Police (Traffic),
E.V.K.Sampath Salai,
Vepery, Chennai - 600 007.

2.The Assistant Commissioner of Police,
(Law & Order),
Vepery, Chennai - 600 007.

3.The Inspector of Police,
Kilpauk Police Station,
Chennai - 600 010.

4.The Assistant Elementary Education Officer,
Egmore, Chennai - 600 008.

+1cc to Mr.Karthik Raja, Advocate sr.no.49156
+1cc to M/s.Gridhar & Sai, Advocate sr.no.48621
+1cc to Mr.S.L.Sudarsanam, Advocate sr.no.48264
+2cc to Government Pleader sr.no.48926

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sv(co)
nr 14/08/2018



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