

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.04.2018

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH
AND
THE HONOURABLE MR.JUSTICE P.D.AUDIKEVALU

Writ Appeal No.12 of 2018
and
C.M.P.No.177 of 2018

1. Wang's Chinese Beauty Parlour,
Owned by Florence Wang,
Plot No.152, Panchayat Main Road,
Thirumalai Nagar, Perungudi,
Chennai - 96.
2. Sparadise Saloon,
Owned by Babita Mathew,
Plot No.152, Panchayat Main Road,
Thirumalai Nagar, Perungudi,
Chennai - 96.

...Appellants

versus

1. P.Sridharan
S/o Pushpanathan
152, Sri Ganesh Apartment,
F2, A Block,
5th Cross Street, Thirumalai Nagar,
Perungudi, Chennai - 96.
2. The Executive Engineer,
Corporation of Chennai,
Zone 13, Dr.Muthulaxmi Salai,
Chennai - 600 020.
3. The Assistant Commissioner,
Corporation of Chennai,
Zone 13, Dr.Muthulaxmi Salai,
Chennai - 600 020.
4. The Regional Deputy Commissioner,
Corporation of Chennai,
Zone 13, Dr.Muthulaxmi Salai,
Chennai - 20.

5. S.V.Moiz @ Moiz Shabbir Bhai,
Vadnagerwala,
S/o Shabbir Bhari,
195, Rasappa Chetty Street, Chennai,
rep. By his Power of Agent Bhavikadhoka,
W/o R.Kamlesh Kumar,
No.55/26, Nattu Muthu Street,
Teynampet, Chennai -18.

6. Shree Constructions,
rep. by R.Kamlesh Kumar
at No.27, Nattu Muthu Street,
Vanniya Teynampet,
Chennai - 18.

7. The Secretary,
Housing and Urban development Department,
Government of Tamil Nadu,
Fort St.George,
Chennai. ...Respondents

Appeal filed under Clause 15 of the Letters of Patent against
the order passed by this Court in W.P.No.29454 of 2016 dated
19.12.2017.

W.P.No.29454 of 2016 has been filed under Article 226 of the
Constitution of India praying to issue a Writ of Mandamus to
direct the respondents 1 to 3 to considers the representation of
the petitioner dated 02/07/2016 within the time fixed by this
Court.

For Appellants : Mr.L.Chandrakumar

For Respondents: Mr.R.Sukumaran for
Mr.G.Murugendran for R1
Mr.V.C.Selvasekaran for R2 to R4.

J U D G M E N T

(The judgment of the Court was delivered by R.Subbiah,J.)

Today, when the matter is taken up for consideration, a
memo has been filed by the learned counsel for the appellants,
which reads as follows:

"It is submitted that as per the
undertaking submitted before this Hon'ble
court, both appellants have vacated the
premises and as such the vacant possession of
the appellants' premises being handed over

has been recorded and acknowledged (copy enclosed). In fact, the entire premises have been closed by construction of a compound wall. In view of the above, the orders of the Hon'ble Division Bench stands complied with. Hence, it is prayed that this Hon'ble Court may be pleased to close the above writ appeal as nothing survives for any further adjudication."

2. Learned counsel appearing for the respondent Corporation submitted that in pursuant to the order passed by this Court, the appellants have vacated the premises and handed over possession to the Corporation authorities and the Corporation of Chennai had demolished the unauthorised construction and handed over the premises to the first respondent.

3. Since the undertaken given by the appellants was complied with, nothing survives for further adjudication in this Appeal. Recording the memo filed by the learned counsel for the appellants, this Writ Appeal is closed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CCC)

//True copy//

Sub Assistant Registrar

vsi

+1cc to Mr.L.Chandra Kumar, Advocate SR.No.30595
+1cc to Mr.G.Murugendran, Advocate SR.No.30183

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GN(12/06/2018)

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