

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Friday, the Sixteenth day of March Two Thousand Eighteen

PRESENT

THE HON`BLE MR JUSTICE M.VENUGOPAL

AND

THE HON`BLE MR JUSTICE S.VAIDYANATHAN

WP No.30435 of 2017

N.C.NARENDRAN

[PETITIONER]

Vs

1 THE MEMBER SECRETARY [RESPONDENTS]
CMDA, CMDA BUILDINGS, EGMORE, CHENNAI-8

2 THE COMMISSIONER
CORPORATION OF GREATER CHENNAI,
RIPPON BUILDING, CHENNAI-3

3 THE COMMISSIONER OF POLICE
POLICE COMMISSIONERS OFFICE, EGMORE, CHENNAI-8

4 THE CHIEF PLANNER,
ENFORCEMENT CELL, CMDA, CMDA BUILDINGS,
EGMORE, CHENNAI-8

5 THE ASST. COMMISSIONER OF
POLICE NUNGAMBAKKAM POLICE STATION,
VALLUVARKOTTAM HIGH ROAD, CHENNAI-34

6 THE ZONAL EXECUTIVE
ENGINEER, ZONE 09, WARD 113, CORPORATION OF CHENNAI,
NO.4, 4TH CROSS STREET, LAKE VIEW ROAD, CHENNAI-34

7 N.C.MAHENDRAN
NO.104, WEST MADA STREET, NUNGAMBAKKAM,
CHENNAI-34

8 N.C.PRIYA
NO.109/121, VALLUVARKOTTAM HIGH ROAD,
NUNGAMBAKKAM, CHENNAI-34

9 M/S.S.S.HYDERABAD BRIYANI PVT.
LTD., NO.109/121, VALLUVARKOTTAM HIGH ROAD,
NUNGAMBAKKAM, CHENNAI-34

10 THE ASSISTANT ENGINEER
O & M, TANGEDCO, CEDC/WEST, MAHALINGAPURAM, CHENNAI

R10 SUO MOTU IMPEADED AS PER ORDER
DATED 30.01.2018 BY MVJ & SVNJ IN WP.30435/2017

Writ Petitions under Article 226 of the Constitution of India praying that in these circumstances stated therein and in the respective affidavits filed therewith the High Court will be pleased

to Issue a Writ of Mandamus or any other appropriate Writ order or direction in the nature of a Writ directing the respondents 1 to 6 to take necessary action against the unauthorized constructions (sheds) and the unauthorised Commercial Hotel and Biryani business and other fast food activities being carried on at the premises bearing Door No.109, (New NO.121), Valluvar Kottam High Road, Nungambakkam High Rod, Chennai-34, previous known as No.34, Ramanaicken Street, Nungambakkam, Chennai-34, and close down any such illegal business, and not to grant or renew any permission or license of anykind to the 7th, 8th and 9th respondents or to anyone else for running any commercial activities or Hotel/ restaurant/fast food or any eating house business or for any alterations/ additions in the said premises [in WP.No.30435/2017]

Order : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.K.P.ASHOK Advocate for the petitioner and of MR.A.N.TAMBIDURAI Special Government Pleader for 3 & 5 respondent and MR.K.SOUNDARARAJAN Senior Counsel for 2 & 6 respondents and MR.A.ABDUL RAROOF Advocate for 9th respondent and MR.C.JOHNSON Advocate for 1 & 4th respondent and MR.VEDAVALLI KUMAR Advocate for 8th respondent the court made the following order:-

On behalf of ninth respondent-Company the Managing Director has filed an affidavit dated 16.03.2018 stating that they have decided to vacate the premises where they are running hotel business at NO.109/121, Valluvarkottam High Road, Nungambakkam, Chennai-34, and further, they have prayed for four months' time to vacate the premisses and remove their interior decorations and infrastructure and he has also given an undertaking to vacate the premises on or before 16.07.2018.

At this juncture, the learned counsel for the sixth respondent-Corporation of Chennai, brings it to the notice of this Court that de-occupation notice was issued by the Corporation of Chennai to the petitioner and respondents 7 to 9, and in this regard, a report will be submitted by 20.03.2018. For filing the said report, post on 20.03.2018.

In the meanwhile, learned counsel for the eighth respondent informs this Court that they will file affidavit on 20.03.2018 to rectify the defects/deviations pointed out by the Corporation of

Chennai and to bring the building according to the approved plan.

Post on 20.03.2018 immediately after admission cases under the caption "for orders".

-sd/-
16/03/2018
/ TRUE COPY /

Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE MEMBER SECRETARY
CMDA, CMDA BUILDINGS, EGMORE, CHENNAI-8.

2 THE COMMISSIONER
CORPORATION OF GREATER CHENNAI,
RIPPON BUILDING, CHENNAI-3

3 THE COMMISSIONER OF POLICE
POLICE COMMISSIONERS OFFICE,
EGMORE, CHENNAI-8

4 THE CHIEF PLANNER,
ENFORCEMENT CELL, CMDA,
CMDA BUILDINGS, EGMORE, CHENNAI-8

5 THE ASST. COMMISSIONER OF
POLICE NUMGAMBAKKAM POLICE STATION,
VALLUVARKOTTAM HIGH ROAD, CHENNAI-34

6 THE ZONAL EXECUTIVE
ENGINEER, ZONE 09, WARD 113, CORPORATION OF
CHENNAI, NO.4, 4TH CROSS STREET,
LAKE VIEW ROAD, CHENNAI-34.

7 THE ASSISTANT ENGINEER
O & M, TANGEDCO, CEDC/WEST, MAHALINGAPURAM, CHENNAI.

C.C. to M/S.K.P.ASHOK Advocate on payment of necessary charges

C.C. to MR.K.SOUNDARARAJAN, Advocate on payment of necessary charges

Order
in
WP.30435/2017
Date :16/03/2018

From 26.2.2001 the Registry is issuing certified
copies of the Interim Orders in this format
RR 04/12/2017
SDR 19.03.2018