

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN
AND

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Writ Petition No.13179 of 2018
and

W.M.P.Nos.15513 and 15514 of 2018

K.Vijayakumar
S/o.Natarajan

.. Petitioner

Vs

- 1.The Corporation of Chennai,
represented by its Commissioner,
Corporation of Chennai,
Ribbon Building,
Chennai - 600 003.
- 2.The Regional Deputy Commissioner (North),
62, Basin Bridge Road,
Old Washermenpet,
Chennai - 600 021.
- 3.The Zonal Officer,
Zone-3 (Madhavaram),
Corporation of Chennai,
No.1, Sathankulam Street,
Bazaar Road, Madhavaram,
Chennai - 600 060.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari calling for the proceedings relating to impugned order dated 15.05.2018 notice u/s.222 r/w 220 of the Chennai City Municipal Corporation Act, 1919, on the file of the third respondent and quash the same.

For Petitioner : Mr.V.Manisekaran

For Respondents : Mr.S.Saravanan,
Standing Counsel

O R D E R

[Order of the Court was made by M.SATHYANARAYANAN, J]

The petitioner challenging the legality of the impugned notice issued by the respondents 2 and 3 u/s.222 r/w 220 of the Chennai City Municipal Corporation Act, 1919, came forward to file this Writ Petition.

2. Heard Mr.V.Manisekaran, learned counsel appearing for the petitioner and Mr.S.Saravanan, learned Standing Counsel appearing for the respondents.

3. When the matter was listed on 05.06.2018, it was represented on behalf of the respondents that a temple has been built up in the land belonging to Chennai City Municipal Corporation and that apart, additional constructions have also been put up and are being used for commercial purposes. The matter was directed to be listed on 06.07.2018.

4. When the matter is listed today, learned Standing Counsel for Corporation of Chennai would submit that the offending unauthorised construction exists in the form of temple has been removed along with two shops put up by the petitioner and in the light of the said development, nothing remains for further adjudication in this Writ Petition.

5. At this juncture, learned counsel appearing for the petitioner, would submit that the idol of Lord Ganapathy has been seized by the Corporation of Chennai on demolition of the temple and the petitioner may be permitted to submit a representation for return of the same and on instructions, would also assure this Court that no further or re-encroachment would take place in the land which has been cleared off the encroachment.

6. This Court has considered the rival submissions and also perused the materials placed before it.

7. In the light of the above said subsequent development, nothing survives for adjudication in the Writ Petition. If the petitioner is so advised, he is at liberty to file a representation for return of the idol seized and as and when the said representation is received, the respondents 2 and 3 shall consider and dispose of the same in accordance with law within a period of two weeks from the date of receipt of the said representation.

The Writ Petition is dismissed with the above observation.
No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

gm

- 1.The Commissioner,
Corporation of Chennai,
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Chennai - 600 003.
- 2.The Regional Deputy Commissioner (North),
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Old Washermenpet,
Chennai - 600 021.
- 3.The Zonal Officer,
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No.1, Sathankulam Street,
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Chennai - 600 060.

+1cc to Mr.S.Saravanan,, Advocate, S.R.No.43942

Writ Petition No.13179 of 2018

RJ(CO)
CS/16/07/18

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