

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.VENUGOPAL
AND
THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.19115 of 2017
and
W.M.P.No.20624 of 2017

S.Balan

.. Petitioner

Vs.

1. The Secretary to Government,
Tamil Nadu Housing and Urban
Development Department,
Secretariat,
Fort St.George,
Chennai-600 009.
2. The Executive Engineer,
Unit-1, Zone-1,
Corporation of Greater Chennai,
Thiruvottiyur, Chennai-600 019.
3. The Assistant Executive Engineer,
Unit-1, Zone-1,
Corporation of Greater Chennai,
Thiruvottiyur, Chennai-600 019.
4. The Assistant Engineer,
Unit-1, Zone-1, Division-2,
Corporation of Greater Chennai,
Kathivakkam High Road,
Chennai-600 057.
5. The Chennai Metropolitan
Development Authority (CMDA),
Rep. by its Member Secretary,
Chennai-600 008.
6. The Special Tahsildhar,
Kathivakkam,
Thiruvottiyur,
Thiruvallur.

(Respondents 5 and 6 are suo-motu
impleaded as per order dated 27.10.2017
in W.P.No.19115 of 2017)

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus to call for records relating to the first respondent's order made in Letter No.4313/UD-VII(1)/2017-3, dated 11.07.2017, to quash the same and consequently direct the respondents to permit the petitioner to continue to occupy the residential premises at Door No.13/21, First Street, Anna Nagar, Ennore, Chennai-600 057 in Patta Survey No.41/3A and to stay therein.

For petitioner : Mr.L.Chandrakumar
For respondents: Mr.A.N.Thambidurai,
Spl.G.P. for RR-1 and 6
Mr.A.Nagarajan for RR-2 to 4
Mr.N.Sampath for R-5

ORDER

(The Order of the Court was made by M.Venugopal,J)

The learned counsel for the petitioner made an endorsement in the writ petition to the effect that, "the above WP may be permitted to be withdrawn with liberty to move the appropriate competent authority for reclassification of the Zone/Area". Recording the aforesaid fact and in view of the endorsement so made, the Writ Petition is dismissed as withdrawn, granting liberty to the petitioner to move appropriate Forum/Competent Authority for re-classification of the Zone/Area in question, as he deems fit and proper in the manner known to law and in accordance with law, if he is so desired/advised, within a period of ten days from the date of receipt of a copy of this order. Added further, a decision shall be taken thereon by the Authority/Forum, within a period of 30 days from the date of receipt of such application for 'Regularisation'. It is made clear that in case of any adverse order being passed against the petitioner, after exhausting all available legal remedies, if any, he shall vacate the premises in question within 30 days thereafter. No costs. Consequently, W.M.P. is closed.

Sd/-

Deputy Registrar(CS)

//True Copy//

Sub Assistant Registrar

CS

To

1. The Secretary to Government,
Tamil Nadu Housing and Urban Development Department,
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Chennai-600 009.
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Rep. by its Member Secretary,
Chennai-600 008.
 6. The Special Tahsildhar,
Kathivakkam,
Thiruvottiyur,
Thiruvallur.
- + 1 cc to Mr.A. Nagarajan, Advocate Sr.148
+ 1 cc to M/s. N. Sampath, Advocate Sr.206
+ 1 cc to Mr. K.B. Vivekanandhan, Advocate, 188
+ 1 cc to Government Pleader Sr.214

GMR (CO)
EU (23/01/2018)

W.P.No.19115 of 2017

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