

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.09.2018

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN

W.P.Nos.24643, 24372, 24378 of 2018
WMP.28680,28681,28377, 28378,
28390 and 28391 of 2018

Sanjay Kumar ...Petitioner in W.P.No.24643 of 2018
Chandra Singh ...Petitioner in W.P.No.24372 of 2018
S.Dinesh Kumar ...Petitioner in W.P.No.24378 of 2018

-vs-

- 1.The Commissioner,
Greater Chennai Corporation,
Rippon Buildings, Chennai - 600 009.
- 2.The Zonal Officer,
Zone - V, Greater Chennai Corporation,
Rippon Buildings, Chennai - 600 009.
- 3.Assistant Revenue Officer,
Zone - V,
Greater Chennai Corporation,
Revenue Department,
Chennai - 600 021.
- 4.The Member Secretary,
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Building,
Egmore, Chennai - 600 008.

5.Rajendra Singh

- 6.The Executive Engineer,
Zone -5, Royapuram,
Greater Chennai Corporation,
No.61, Basin Bridge Road,
Old Washermanpet,
Chennai - 600 021.

WEB COPY

7. Assistant Engineer - Division 57,
Zone 5, Greater Chennai Corporation,
No.61, Basin Bridge Road,
Old Washermanpet, Chennai - 600 021.

8. Assistant Executive Engineer,
Division Unit 13,
Greater Chennai Corporation,
No.61, Basin Bridge Road,
Old Washermanpet, Chennai - 600 021.

.... Respondents in all Wps

PRAYER in all Wps: Writ Petitions filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the entire records of the impugned proceedings of the respondents 6 to 8 in notice No.ZO.V/C.NO/57/ENF/4886/2018 dated 04.09.2018 and quash the same consequently forbearing the respondents their men agent servants etc., from in any manner interfering with the peaceful possession and enjoyment of the petitioners property at Old No.126, New No.253, Govindappa Naicken Street, George Town, Chennai - 600 001.

For Petitioner : Ms.P.Bagyalakshmi
(in all WPs)

For Respondents: Mr.A.Nagarajan
Standing Counsel
for Chennai Corpo
(in all WPs)

C O M M O N O R D E R

[Order of the Court was made by
K.K.SASIDHARAN, J.]

The notices issued by the Executive Engineer are under challenge in the writ petitions filed by the tenants. The writ petitions were filed primarily on the ground that show cause notices were not issued before passing such an order involving civil consequences and that too without adhering to the earlier orders passed by the Division Bench at least on two occasions.

2. When these writ petitions came up for hearing, we have issued notices to the respondents and more particularly, the 6th respondent to show cause as to why notices should not be quashed on account of the non-compliance of the earlier orders passed by the Division Bench. The matter was adjourned so as to enable the 6th respondent to take a decision in the matter.

3. When the writ petitions are taken up for hearing today, the learned Standing Counsel for the Chennai Corporation produced an affidavit dated 24 September 2018 sworn to by the Executive Engineer, Zone 5, Greater Chennai Corporation, indicating that the notices impugned in the writ petitions have already been withdrawn and fresh show cause notices dated 22 September 2018 were issued to the respective petitioners.

4. In view of the subsequent events relating to the withdrawal of the notices and the initiation of fresh proceedings by notice dated 22 September 2018, nothing survives for adjudication in the writ petitions.

5. The 6th respondent is directed to give reasonable opportunity to the petitioners to submit their response and thereafter, he should pass an order on merits and as per law.

6. The writ petitions are disposed of with the above direction. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

svki

To

1.The Commissioner,
Greater Chennai Corporation,
Rippon Buildings, Chennai - 600 009.

2.The Zonal Officer,
Zone - V, Greater Chennai Corporation,
Rippon Buildings, Chennai - 600 009.

3.Assistant Revenue Officer,
Zone - V,
Greater Chennai Corporation,
Revenue Department,
Chennai - 600 021.

4.The Member Secretary,
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Building,
Egmore, Chennai - 600 008.

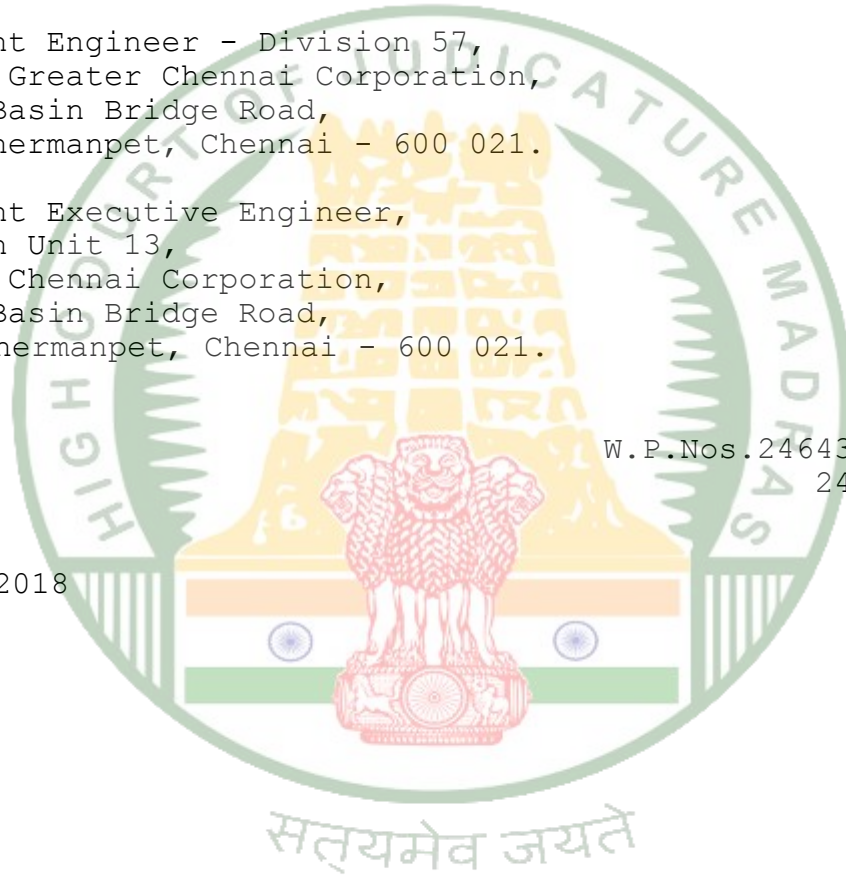
5.The Executive Engineer,
Zone -5, Royapuram,
Greater Chennai Corporation,
No.61, Basin Bridge Road,
Old Washermanpet,
Chennai - 600 021.

6.Assistant Engineer - Division 57,
Zone 5, Greater Chennai Corporation,
No.61, Basin Bridge Road,
Old Washermanpet, Chennai - 600 021.

7.Assistant Executive Engineer,
Division Unit 13,
Greater Chennai Corporation,
No.61, Basin Bridge Road,
Old Washermanpet, Chennai - 600 021.

W.P.Nos.24643, 24372 and
24378 of 2018

Gmr(co)
nr 16/10/2018



WEB COPY