

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.11.2018

CORAM :

The Hon'ble Mrs.V.K.TAHILRAMANI, CHIEF JUSTICE

AND

The Hon'ble Mr.JUSTICE M.DURAI SWAMY

W.P. No.31369 of 2018

and WMP.NO.36552/2018

P.Kingson

.. Petitioner

-vs-

- 1.The State of Tamil Nadu,
rep. by its Secretary,
Municipal Administration & Water Supply Department,
Secretariat,
Fort St. George, Chennai-9.
- 2.The Member Secretary,
Chennai Metropolitan Development Authority (CMDA),
Thalamuthu Natarajan Building,
No.1, Gandhi Irwin Road,
Egmore, Chennai - 8.
- 3.The Commissioner,
Greater Chennai Corporation,
Rippon Building, Chennai - 3.
- 4.The Zonal Officer,
Zone - V,
Greater Chennai Corporation,
No.9, Chidambaram 7th Street,
Basin Bridge, Chennai - 1.
- 5.The Assistant Executive Engineer,
AE Square, Division-61,
Unit - 14,
No.23, Drivers Street,
Pudupet, Chennai - 2.
- 6.The Assistant Engineer,
Division 61, Unit - 14,
No.23, Drivers Street,
Pudupet, Chennai - 2.

7.The Managing Director,
C.M.W.S & S.B.,
No.1, Pumping Station Road,
Chintadripet,
Chennai - 2.

8.The Chairman,
T.N.E.B. Ltd.,
N.P.K.R.R. Maaligai,
10th Floor, No.802, Anna Salai,
Chennai - 600 002.

9.The Director (Distribution North),
T.N.E.B. Ltd.,
N.P.K.R.R. Maaligai,
No.802, Anna Salai,
Chennai - 600 002.

10.K.S.Khaja Mohidheen

11.K.S.Rasheedha Banu

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the respondent authorities 1 - 7 to remove the illegal/unauthorised construction and encroachment made by the tenth and eleventh respondents Mr.Khaja Mohidheen and Mrs.K.S.Rasheedha Banu in Door Nos.50 and 48/2, Langs Garden Road, Pudupet, Anna Salai, Chennai - 2.

For Petitioner : Mr.P.T.Perumal

For Respondent : Mr.M.Elumalai
Government Advocate
for 1st respondent

Mr.Karthik Rajan
for 2nd respondent

Mr.A.Nagarajan
Standing Counsel
for respondents 3 to 6

ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

The prayer of the petitioner is to direct the respondent authorities to remove the illegal/unauthorised construction and encroachment made by the tenth and eleventh respondents in Door Nos.50 and 48/2, Langs Garden Road, Pudupet, Anna Salai, Chennai-2.

2. Heard the learned counsel for the petitioner, the learned Government Advocate for the first respondent and the learned counsel for the respondents 2 to 6.

3. The learned counsel for the petitioner himself admitted that as far as Door No.48/2 is concerned, no construction is going on and he is only concern with the unauthorised construction relating to Door No.50.

4. The learned Standing Counsel for the respondents 3 to 6/Greater Chennai Corporation states that as far as Door No.50 is concerned, they have issued locking and sealing and demolition notice dated 08.11.2018 to the occupants of Door No.50. The learned Standing Counsel for the respondents 3 to 6 further states that after 30 days period, as mentioned in the notice dated 08.11.2018, is over, if the occupants of Door No.50 do not take necessary steps, they will proceed further in accordance with law.

5. In view of the above facts, nothing further survives in this writ petition and the same is dismissed. No costs. Consequently, W.M.P.No.36552 of 2018 is closed.
bbr

Sd/-

Assistant Registrar (CS)

//True Copy//

सत्यमेव जयते

Sub Assistant Registrar

To

The Secretary,
Municipal Administration & Water Supply Department,
Secretariat, Fort St. George, Chennai-9.

+1cc to Mr.A.Nagarajan , Advocate SR.No. 82310

+1 CC TO GOVERNMENT PLEADER SR.NO.82222

+1cc to Mr.Karthik Rajan , Advocate SR.No.82076

+1cc to Mr.P.T.Perumal, Advocate SR.No. 81934

W.P.No.31369 of 2018

ASK(18/12/2018)