

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.06.2019

CORAM

THE HON'BLE MRS.VIJAYA K.TAHILRAMANI, CHIEF JUSTICE
AND

THE HON'BLE MR.JUSTICE M.DURAI SWAMY

Review Application (Writ) No.98 of 2019

- 1 Siona Priscilla
- 2 Kiran Fathima
- 3 J.Prabhakar .. Petitioners

Vs

- 1 Greater Corporation of Chennai
Rep. by the Commissioner
Rippon Building, No.1131
EVR Salai
Chennai – 600003.
- 2 The Executive Engineer-I
Zone 13, No. 115, Muthulakshmi Salai
LB Road, Adyar
Chennai – 600020.
- 3 The Assistant Executive Engineer
Unit 38, No. 115, Muthulakshmi Salai
LB Road, Adyar
Chennai – 600020.
- 4 The Assistant Engineer
Division 181, No. 115, Muthulakshmi Salai
LB Road, Adyar
Chennai – 600020.
- 5 The Additional Secretary (Technical)
Housing and Urban Development Department
Secretariat, Chennai – 600009.

6 V.Natarajan
7 Nalini Natarajan

.. Respondents.

PRAYER: Review application under Order 47 Rules 1 and 2 of the Civil Procedure Code to review the order dated 3.4.2019 made in W.P.No.7648 of 2019.

For Petitioner : Mr.B.Mohan

For Respondents : Mr.V.C.Selvasekaran
for respondents 1 to 4

Mr.V.Jayaprakash Narayanan
Government Pleader (i/c.)
for 5th respondent

Mr.K.G.Vasudevan
for 6th respondent

ORDER

(Order of the Court was made by *M.DURAI SWAMY,J.*)

By order dated 3.4.2019, this Court dismissed the writ petition confirming the order passed by the fifth respondent dated 4.3.2019.

2. At the time of hearing the writ petition, the learned Senior Counsel appearing for petitioners submitted that the petitioners are willing to shift the school to some other place and shall run the school only after obtaining permission from the authorities. The learned Senior Counsel further submitted that they will continue to reside in the said premises using it as residential house.

3. Now, by way of a review application, the learned counsel appearing for the petitioners submitted that though this Court has recorded the submission made by the learned Senior Counsel appearing for the petitioners, no observation has been made by this Court with regard to the same.

4. The learned counsel appearing for the respondents submitted that the petitioners can very well continue to reside in the premises in question, however they should not be allowed to run the school.

5. In view of the submissions made by the learned counsel on either side, we pass this order by clarifying that the petitioners can continue to reside in the premises using it as a residential house, however, they cannot utilize the premises for running a school without obtaining permission from the authorities, as submitted by the learned Senior Counsel on the earlier occasion.

With this clarification, the review application is disposed of. No costs. Consequently, W.M.P.No.12578 of 2019 is closed.

(V.K.T., C.J.) (M.D., J.)
24.06.2019

Index : No
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THE HON'BLE CHIEF JUSTICE
AND
M.DURAI SWAMY,J.

(sasi)



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