

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:30.07.2019

Coram:

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

W.P.No.22334 of 2019

and

W.M.P.Nos.21650 and 21651 of 2019

1.The Diocese of Chengalpet
rep.by Property Administrator
Fr.Augustine,
Diocese of Chingleput,
Kancheepuram Road,
Thimmavaram,
Chengalput 603 101.

2.St.Patrick Church repby its
Parish Priest Fr.Shylock Stephen
St.Thomas Mount,
Chennai-16.

... Petitioners

/versus/

1.The Chief Executive Officer,
Office of the Cantonment Board,
St.Thomas Mount,
Chennai.

2.The Thasildar,
Alandur Taluk,
Kancheepuram District.

3.K.Andavar

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records on the file of the 1st respondent made in Cbr.No.4 dated 26.10.2018 and STM/Works/1/2737 dated 03.12.2018 and quash the same and consequently, direct the 1st respondent to take necessary action against the 3rd respondent.

For Petitioner :Ms.Selvi George

For Respondents :Mr.C.Mohan for
M/s King and Patridge for R1

Mrs.P.Rajalakshmi, AGP
for R2

Mr.R.Bharath Kumar for R3

O R D E R

By consent, the main writ petition itself is taken up for final disposal at the admission stage itself.

2. Heard Ms.Selvi George, learned counsel appearing for the petitioner and Mr.C.Mohan, learned counsel, who takes notice on behalf of the first respondent; Mrs.P.Rajalakshmi, Additional Government Pleader, who takes notice on behalf of the second respondent and Mr.R.Bharath Kumar, learned counsel, who takes notice on behalf of the third respondent.

3.The prayer in the writ petition is to issue a Writ of Certiorarified Mandamus to call for the records on the file of the 1st respondent made in CBR.No.4 dated 26.10.2018 and STM/Works/1/2737, dated 03.12.2018 and quash the same and consequently, direct the 1st respondent to take necessary action against the 3rd respondent.

4.The petitioners herein have not shown any document to prove their title. Whereas the title deed stands in the name of the third respondent and also he has obtained planning permission. Before seeking the relief in the writ petition, they have to work out their remedy before the appropriate civil Court and ascertain their title. Before that the petitioners have no locus standi to sustain the writ petition. Hence, this writ petition is dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

1.The Chief Executive Officer,
Office of the Cantonment Board,
St.Thomas Mount,
Chennai.

2.The Thasildar,
Alandur Taluk,
Kancheepuram District.

+1 cc to Ms.Selvi George, Advocate, S.R.No.65106

+1 cc to M/s.King and Partridge, Advocate, S.R.No.64807

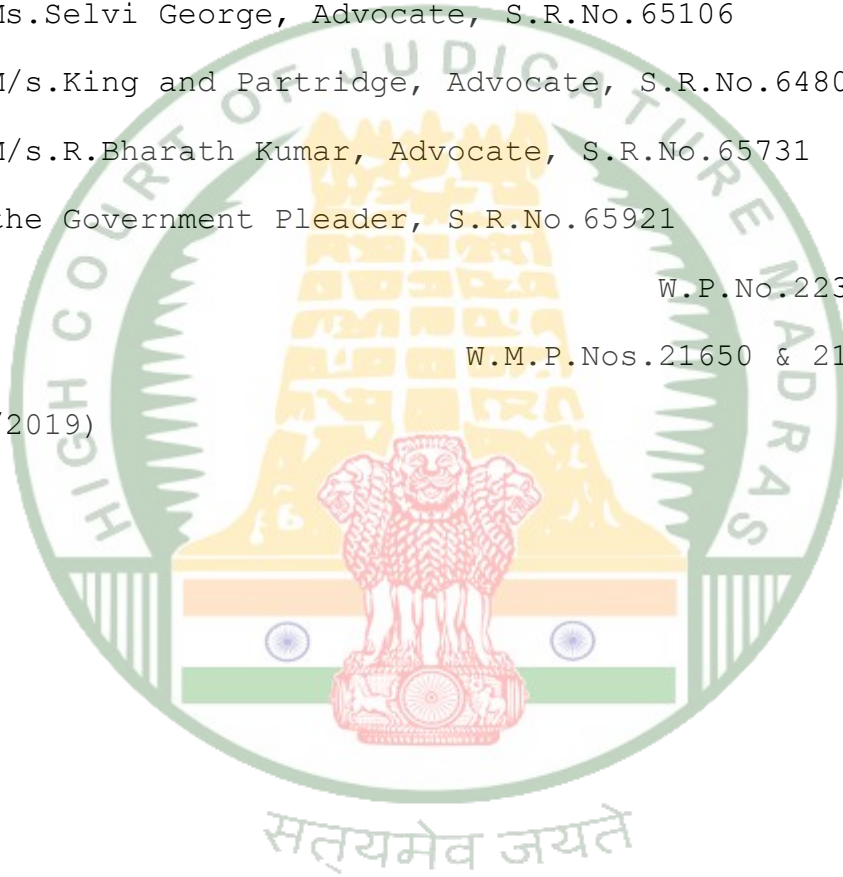
+1 cc to M/s.R.Bharath Kumar, Advocate, S.R.No.65731

+1 cc to the Government Pleader, S.R.No.65921

W.P.No.22334 of 2019
and

W.M.P.Nos.21650 & 21651 of 2019

SPD(CO)
SSM(29/08/2019)



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