

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.06.2019

CORAM

THE HON'BLE MRS.VIJAYA K.TAHILRAMANI, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.31323 of 2017

Subba Reddy Charities
rep. by Managing Trustee, A.J.Yuvaraj Reddy
12A/1, 1st Street, 1st Main road
NATESA Nagar, Virugambakkam
Chennai - 600 092. ... Petitioner

Vs

- 1 The Member Secretary
CMDA
Egmore
Chennai - 600 008.
- 2 The Commissioner
Corporation of Chennai
Chennai - 600 003.
- 3 The Assistant Commissioners
Corporation of Chennai
Zone 12 Alandur
Chennai - 600 016.
- 4 The Executive Engineer
Zone X11, Corporation of Chennai
Alandur, Chennai - 600 016.
- 5 K.Joseph (Trespasser)
- 6 Arun Basha (Trespasser)
- 7 M.Kaja Mohideen (Trespasser)
- 8 M.Sayed Meeran (Trespasser)
- 9 Kavitha
- 10 Indian Overseas Bank
Velachery
Chennai - 600 042.

- 11 A.Sankarnarayan
- 12 A.T.P.Venkatachalapathy .. Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of mandamus to direct respondents 1 and 2 to demolish illegal structure at 87/47, MKN Road, Alandur, Chennai - 600 016 sealed and locked in spot inspection on 2.11.2015 by Mr.V.Kapoor, Commissioner, Corporation of Chennai in line with the verdict in AIR 2001 BOM 145 to the state to punish the responsible officials.

For Petitioner : Mr.A.J.Yuvaraj Reddy
Party-in-Person

For Respondents : Mr.Karthik Rajan
for 1st respondent

Mr.R.Arunmozhi
for respondents 2 to 4

Mr.Ashok Menon
for 5th respondent

Respondents 10, 11 and 12
No appearance

ORDER

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

The prayer in the writ petition is to demolish the illegal structure at 87/47, MKN Road, Alandur, Chennai - 600 016. However, now, the petitioner (appearing in person), admits that the illegal structure has been put up at some other place and not at the place mentioned in the writ petition.

In view of the above, the writ petition is dismissed with liberty to the petitioner to prefer fresh writ petition giving proper door number, address and other material particulars relating to the illegal structure. No costs.

Sd/-

Assistant Registrar (CS-III)

//True copy//

Sub Assistant Registrar

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To:

- 1 The Member Secretary
CMDA
Egmore
Chennai - 600 008.
- 2 The Commissioner
Corporation of Chennai
Chennai - 600 003.
- 3 The Assistant Commissioners
Corporation of Chennai
Zone 12 Alandur
Chennai - 600 016.
- 4 The Executive Engineer
Zone X11, Corporation of Chennai
Alandur, Chennai - 600 016.

+1cc to M/s.R.Arunmozhi, Advocate SR.No.52208

+1cc to Mr.Karthik Rajan, Advocate SR.No.51487

+1cc to Mr.Ashok Menon, Advocate SR.No.51075

+1cc to Mr.P.S.Ganesh, Advocate SR.No.51011

+1cc to Mr.A.J.Yuvaraj Reddy, Advocate SR.No.50995

W.P.No.31323 of 2017

GP(CO)
GMY(12/07/2019)

सत्यमेव जयते

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