

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.02.2019

CORAM :

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

AND

The Hon'ble Mr.JUSTICE M.DURAI SWAMY

W.P. No.30961 of 2018

M.Rajeshwari

... Petitioner

-vs-

- 1.The Commissioner,
Corporation of Chennai,
Greater Chennai Corporation,
Rippon Building,
Chennai - 600 003.
- 2.The Regional Deputy Commissioner,
(Central) Corporation of Chennai,
No.36B, 2nd Cross Street,
Pulla Avenue, Shenoy Nagar,
Chennai - 600 030.
- 3.The Zonal Officer,
Zone - X, Greater Chennai Corporation,
No.117, N.S.K. Salai, Kodambakkam,
Chennai - 24.
- 4.The Assistant Commissioner,
Zone - X, Greater Chennai Corporation,
No.117, N.S.K. Salai, Kodambakkam,
Chennai - 24.
- 5.The Assistant Executive Engineer (Unit 29),
Greater Chennai Corporation,
Zonal Office X, No.117, N.S.K. Salai,
Kodambakkam, Chennai - 24.
- 6.The Assistant Engineer,
No.1, Ayyappa Nagar Main Road,
Koyambedu, Chennai - 600 107.

7.The Tahsildhar,
Egmore Taluk,
(Then Egmore-Nungambakkam Taluk),
Chennai.

8.The Tahsildhar,
Aminjikarai Taluk, Chennai.

9.The Tahsildhar,
Mambalam Taluk,
Chennai.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorarified Mandamus calling for the records pertaining to the order passed by the 3rd respondent in M.A.10.Na.Ka.No.9198/2018 dated 07.11.2018 and quash the same and consequently forbear the respondents from dispossessing, demolishing, removing, evicting and preventing ingress and egress by locking and sealing the premises of the petitioner, leading to disposes him from her property of Door No.5/2, having a plinth area of 800 sq. ft. in the land area of 995 sq. ft. comprised in Old Survey No.72, Town Survey No.134/3, Natesan Nagar West Street, Virugambakkam, Chennai situated within the precincts of Block No.2, Division 10 of Corporation of Chennai.

For Petitioner : Mr.M.Arun

For Respondents : Mr.K.Soundararajan
for respondent Nos.1 to 5

Mr.V.Jayaprakash Narayanan
Government Pleader (i/c) for
respondent Nos.7 to 9

No appearance for R6

ORDER

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

This writ petition has been filed by the petitioner challenging the order dated 07.11.2018 passed by the third respondent under Section 222 of the Chennai City Municipal Corporation Act, 1919. However, the learned counsel for the

petitioner states that thereafter, the petitioner has received de-occupation notice and she wishes to challenge the same. In view of the above, the learned counsel for the petitioner seeks leave of this Court to withdraw the writ petition with liberty to file a fresh writ petition challenging the order passed under Section 222 of the Chennai City Municipal Corporation Act, 1919 as well as de-occupation notice. The learned counsel has also made an endorsement to the said effect.

2. In view of the statement made by the learned counsel for the petitioner, the writ petition is allowed to be withdrawn with liberty as prayed for.

3. The writ petition is, accordingly, dismissed as withdrawn. No costs. Consequently, W.M.P.Nos.36097 and 36098 of 2018 are closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

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Chennai.

+1cc to Mr.T.K.S.Gandhi, Advocate Sr.10296
+1cc to the Government Pleader Sr.10549

W.P.No.30961 of 2018

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srg 20/02/2019