

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07-01-2019

CORAM :

THE HON'BLE DR.JUSTICE VINEET KOTHARI

AND

THE HON'BLE DR.JUSTICE ANITA SUMANTH

W.P.No.33063 of 2018

Habib Abdul Latif

...Petitioner

-vs-

- 1.The Member Secretary,
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Maaligai,
No.1, Gandhi Irwin Road, Egmore,
Chennai-600 008.
- 2.The Deputy Member Secretary,
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Maaligai,
No.1, Gandhi Irwin Road, Egmore,
Chennai-600 008.
- 3.The Commissioner,
Corporation of Chennai,
Rippon Building,
EVR Salai,
Chennai-600 003.
- 4.The Zonal Commissioner,
Kilpauk Division,
Corporation of Chennai,
Rippon Building, EVR Salai,
Chennai-600 003.
- 5.The Deputy Commissioner (Works),
Corporation of Chennai,
Rippon Building, EVR Salai,
Chennai-600 003.
- 6.Rainbow Foundations Ltd.,
rep.by its Managing Director,
4, Thanikachalam Road,
T.Nagar, Chennai-600 017.

...Respondents

Petition under Article 226 of the Constitution of India, praying for issuance of a writ of mandamus, to direct respondents 1 and 2 to take immediate action on the representation of the petitioner, dated 15.11.2018, to stop illegal, unauthorised, uncontrolled remaining demolition of the concrete structure as well as further Multi-storey Building (MSB) construction activities in the place of Motcham Theatre at Door No.11, Millers Road, Kilpauk, Chennai, which are in contravention of the Rules and Regulations of CMDA.

For petitioner : Mr.Karthik,
Senior Counsel,
for Mr.R.Gopinath.

For respondents
No.1 & 2 : Mr.S.Thiruvengadam

For respondents
No.3,4 & 5 : Mr.V.C.Selvasekaran

For respondent
No.6 : Mr.T.Sirish Chowdhary
For M/s.T.M.Naidu & Co.

ORDER

[Order of the Court was made by Dr.Vineet Kothari,J.]

Learned counsel for the petitioner wants to withdraw this Writ Petition, with liberty to file appropriate Civil Suit for damages caused to the property of the petitioner on account of the alleged illegal demolition and fresh construction being carried out by sixth respondent viz., Rainbow Foundations Limited. He has also made an endorsement in the petition to that effect.

2. Therefore, this Writ Petition is dismissed as withdrawn, with liberty as prayed. No costs. Consequently, the connected W.M.P.No.38332 of 2018 also stands dismissed.

dixit

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1.The Member Secretary,
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Maaligai,
No.1, Gandhi Irwin Road, Egmore,
Chennai-600 008.

2.The Deputy Member Secretary,
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Maaligai,
No.1, Gandhi Irwin Road, Egmore,
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3.The Commissioner,
Corporation of Chennai,
Rippon Building,
EVR Salai,
Chennai-600 003.

4.The Zonal Commissioner,
Kilpauk Division,
Corporation of Chennai,
Rippon Building, EVR Salai,
Chennai-600 003.

5.The Deputy Commissioner (Works),
Corporation of Chennai,
Rippon Building, EVR Salai,
Chennai-600 003.

+lcc to Mr.S.Thiruvengadam, Advocate, S.R.No.1588

+lcc to Mr.R.Gopinath, Advocate, S.R.No.1810

+lcc to M/s.T.M.Naidu & Co., Advocates, S.R.No.2357

सत्यमेव जयते

W.P.No.33063 OF 2018

PPA (CO)

KAK (20/02/2019)

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