

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.01.2020

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH  
and  
THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Writ Petition No.2278 of 2020

Brotherhood Matric Hr.Sec. School,  
represented by its Senior Principal,  
J.George William ... Petitioner

Vs

- 1.The Commissioner,  
Greater Chennai Corporation,  
Rippon Building, Chennai - 600003.
- 2.The Zonal Officer,  
Greater Chennai Corporation,  
Zone-15, Rajivi Gandhi Salai,  
Sholinganallur, Chennai - 600119.
- 3.The Assistant Executive Engineer,  
Unit-44, Greater Chennai Corporation,  
Neelankarai, Chennai - 600 115.
- 4.The Secretary to Government,  
Government of Tamil Nadu,  
Housing and Urban Development Dept.,  
Fort St.George, Chennai - 600009. ... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus forbearing respondents 1 to 3, their men, agents, sub-ordinates from taking coercive action as against the petitioner's property at No.3/387, Kazura Garden, Neelankarai, Chennai - 600115, in the name and style of Brother Wood Matric Hr.Sec.School pending disposal of the appeal filed on the file of fourth respondent dated 31.12.2019.

For Petitioner : Mr.T.Ramachandran  
For Respondents: Mr.K.Raja Shrinivas [R1 to R3]  
Mr.K.S.Suresh  
Government Advocate [R4]

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O R D E R

(Order of the Court was made by R.SUBBIAH, J)

Petitioner has filed the present petition seeking issuance of a Writ of Mandamus forbearing respondents 1 to 3, their men, agents, sub-ordinates from taking coercive action as against the petitioner's property at No.3/387, Kazura Garden, Neelankarai, Chennai - 600115, in the name and style of Brother Wood Matric Hr.Sec.School pending disposal of the appeal filed on the file of fourth respondent dated 31.12.2019.

2. Heard learned counsel for petitioner, learned standing counsel for respondents 1 to 3 and learned Government Advocate appearing for fourth respondent.

3. Though very many contentions raised, learned standing counsel for Corporation submits that if the petitioner appears before the authority concerned and produce the planning permission along with necessary documents, the same will be considered, if it is in order.

4. In view of the submissions made by learned standing counsel for corporation, the scope of the Writ Petition has become very narrow. Therefore, without adverting into the entire averments, this Court directs the petitioner to appear before the authority concerned along with necessary documents within a period of one week from the date of receipt of this order. In the event of petitioner so appearing, respondents 1 to 3 shall consider the planning permission and pass appropriate orders on merits and in accordance with law. The entire exercise shall be completed within a period of four (4) weeks from the date of receipt of this order.

The Writ Petition is disposed of with the above direction.  
No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1.The Chairman,  
Chennai Metropolitan Development Authority,  
Thalamuthu Natarajan Building,  
No.1, Gandhi Irwin Road,  
Egmore, Chennai - 600008.

2.The Commissioner,  
Greater Chennai Corporation,  
Rippon Building, Chennai - 600003.

3.The Zonal Officer,  
Greater Chennai Corporation,  
Zone-15, Rajivi Gandhi Salai,  
Sholinganallur, Chennai - 600119.

4.The Assistant Executive Engineer,  
Unit-44, Greater Chennai Corporation,  
Neelangarai, Chennai - 600 115.

5.The Secretary to Government,  
Government of Tamil Nadu,  
Housing and Urban Development Dept.,  
Fort St.George, Chennai - 600009.

+1cc to Mr.T.Ramachandran, Advocate sr.7401

Writ Petition No.2278 of 2020

nr 28/02/2020

सत्यमेव जयते

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