

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.09.2020

CORAM

THE HON'BLE MR.JUSTICE M.M.SUNDRESH
and
THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.3201 of 2020

S.Thirumurthy

.. Petitioner

Vs

- 1.The Secretary to Govt.,
Dept. of Housing and Urban Development,
Govt. of Tamil Nadu, Secretariat, Fort St.George,
Chennai - 600 008.
- 2.The Member Secretary,
Chennai Metropolitan Development Authority (CMDA),
Chennai - 600 008.
- 3.The Commissioner,
Greater Chennai Corporation,
Ripon Building, Chennai - 600 003.
- 4.The Executive Engineer,
Zone - V (Royapuram),
Greater Chennai Corporation,
No.61, Basin Bridge Road,
Old Washermenpet, Chennai - 600 021.
- 5.The Assistant Executive Engineer,
Unit-13, Greater Chennai Corporation,
Seven Wells Street, Chennai 600 001.
- 6.The Assistant Engineer,
Division-57,
Greater Chennai Corporation,
Anna Pillai Street, Chennai - 600 079.

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7.N.Tharakaram

Rep. by his Power Agent J.Harikumar,
M/s.Sri Vasavi Builders & Promoters,
No.21/1, Ramakrishna Street,
Sowcarpet, Chennai - 600 079.

..Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 2 to 6 to take appropriate action pursuant to the issuance of the De-occupation and Demolition Notice No. ZO.V.Lr.Dn57/ ENF/ 249/2017 dated 27.02.2017 by demolishing the existing unauthorized superstructure by the 7th Respondent in the premises bearing Door No. 32/26 Arumugam Street, George Town, Sowcarpet, Chennai - 600 079.

For Petitioner .. Mr.K.Karthik Jagannath

For Respondents .. Mr.Kamalesh Kannan,
Government Advocate for R1
Mr.Raja Srinivas for R3 to R6
Mr.Karthick Rajan for R2

ORDER

(Order of the Court was made by M.M.SUNDRESH, J.)

Heard the learned counsel for the petitioner, the learned Government Advocate appearing for the 1st respondent, the learned standing counsel appearing for the respondents 3 to 6 and the learned standing counsel appearing for the 2nd respondent.

2. Despite notice served and the name has been printed, none appeared for the 7th respondent.

3. The learned counsel appearing for the petitioner submitted that notwithstanding the dismissal of the appeal filed by the 7th respondent challenging the action taken by the respondents 3 to 6, no consequential action is forthcoming.

4. The learned standing counsel appearing for the respondents 3 to 6 submitted that it is true that the appeal filed by the 7th respondent has been disposed of against him. Therefore, in law there is no bar for the respondents 3 to 6 to proceed further. Now, in view of the disposal of the appeal, they would proceed further and take appropriate action.

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5. Recording the above said submissions, this writ petition stand closed and the respondents 3 to 6 are expected to proceed further in accordance with law. Appropriate action will have to be taken within a period of four months from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

raa/kmk

To

- 1.The Secretary to Govt.,
Dept. of Housing and Urban Development,
Govt. of Tamil Nadu, Secretariat,
Fort St.George, Chennai - 600 008.
- 2.The Member Secretary,
Chennai Metropolitan Development Authority
(CMDA), Chennai - 600 008.
- 3.The Commissioner, Greater Chennai Corporation,
Ripon Building, Chennai - 600 003.
- 4.The Executive Engineer, Zone - V (Royapuram),
Greater Chennai Corporation, No.61, Basin Bridge Road,
Old Washermenpet, Chennai - 600 021.
- 5.The Assistant Executive Engineer, Unit-13, Greater Chennai
Corporation, Seven Wells Street, Chennai 600 001.
- 6.The Assistant Engineer, Division-57,
Greater Chennai Corporation,
Anna Pillai Street, Chennai - 600 079.

+1cc to Mr.K.Raja Srinivas, Advocate SR.31669
+1cc to Mr.Karthik Jagannath, Advocate SR.31871
+1cc to the Additional Govt Pleader SR.31775

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