

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:20.11.2020

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.16275 of 2020
and
WMP.Nos.20348 & 20349 of 2020

R.Baskaran

... Petitioner

Vs.

1. The Commissioner,
Greater Chennai Corporation,
Rippon Building,
Chennai-3.

2. The Executive Engineer,
Greater Chennai Corporation,
Zone 12, Alandur,
Chennai-16.

3. The Assistant Executive Engineer,
Greater Chennai Corporation, Unit 36, Alandur,
Chennai-16.

4. The Assistant Engineer,
Greater Chennai Corporation,
Division 160, Alandur,
Chennai-16.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus, calling for the records of the respondents 2 to 4 dated 20.10.2020 in proceedings having Ref. Letter No.12/00008/2020 and quash the same as erroneous in law and consequently direct the respondents to grant approval of the building plan submitted on 26.06.2002.

For Petitioner : Mrs.C.Uma

For Respondents: Mrs.P.T.Ramadevi
Standing Counsel (Corporation)

O R D E R

This Writ Petition has been filed against the de-occupation notice issued by the respondent Corporation under section 56 2 (A) and 57 read with Section 85 of the Town and Country Planning Act 1971. This notice is more in the nature of consequential proceedings pursuant to the lock and seal and demolition notice issued by respondents 2 to 4. This Court brought to the notice of the learned counsel for the petitioner that without challenging the lock and seal and demolition notice, the writ petition cannot be maintained by merely challenging the consequential proceedings.

2. The learned counsel for the petitioner sought for permission to withdraw this writ petition with liberty to file a fresh writ petition by challenging all the notices.

3. This Writ petition is dismissed as withdrawn with liberty to the petitioner to file a fresh writ petition, if so advised. Registry is directed to return back the original de-occupation notice in order to enable the petitioner to file a fresh writ petition.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

rli

To

1. The Commissioner,
Greater Chennai Corporation,
Rippon Building,
Chennai-3.

2. The Executive Engineer,
Greater Chennai Corporation,
Zone 12, Alandur,
Chennai-16.

3. The Assistant Executive Engineer,
Greater Chennai Corporation, unit 36, Alandur,
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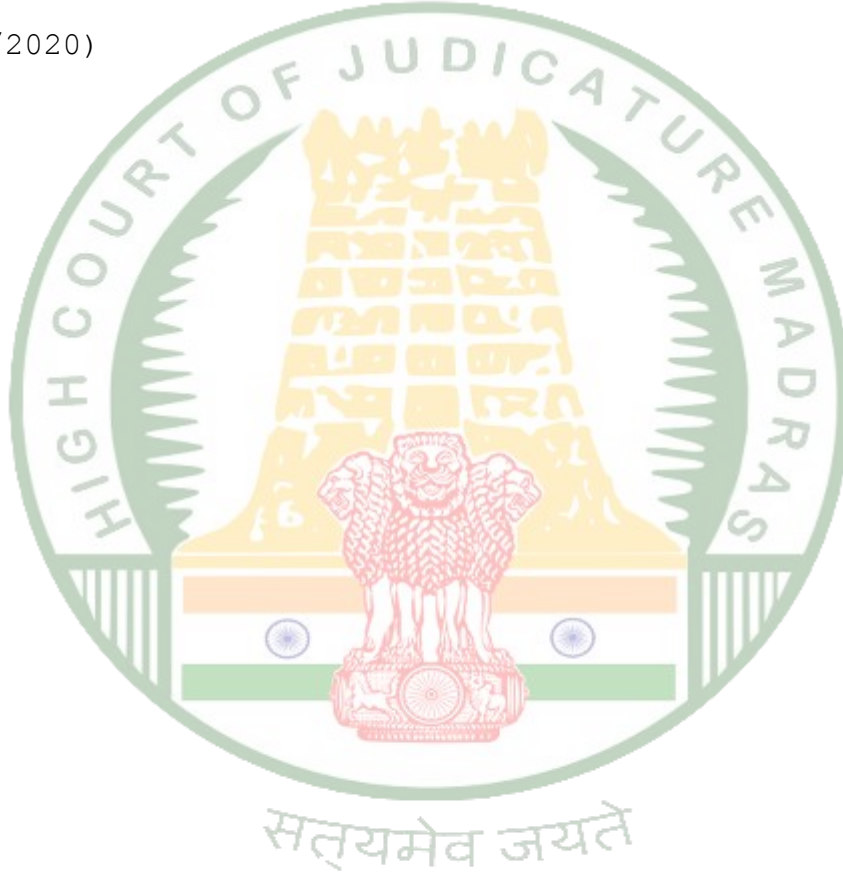
4. The Assistant Engineer,
Greater Chennai Corporation,
Division 160, Alandur,
Chennai-16.

+1 cc to M/s.C.Uma, Advocate Sr.No. 37277

+1 cc to M/s.P.T.Ramadevi, Advocate Sr.No. 37436

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SR(CO)
RMP(15/12/2020)



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