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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.08.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN
AND
THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

W.P.NO.7150 OF 2021

AND

W.M.P.NOS.7670 AND 7673 OF 2021

1. Prashant Rajagopal
2. K.P.Anantha Krishna ... Petitioner

.Vs.

1. The Chennai Metropolitan Development Authority,
Represented by its Member Secretary,
Thalamuthu Natarajan Building,
Gandhi Irwin Road,
Egmore, Chennai - 600 008.
2. The Commissioner,
Corporation of Greater Chennai
Ripon Buildings,
Chennai - 600 003.
3. The Zonal Officer
Greater Chennai Corporation,
Zone IX (Teynampet),
No.8, Lake Area,
Nungambakkam,
Chennai - 600 034.
4. The Director of School Education,
DPI Campus, College Road,
Chennai - 600 006.
5. Vruksha Montessori School,
Represented by its Principal,
Ms.Jayashree,
35/1, III Street,
Abhiramipuram, Alwarpet,
Chennai - 600 018.
6. G.Vishwanathan ... Respondents



PRAYER:-

Petition filed under Section Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the Respondents 1 to 4 to take immediate action against the 5th Respondent for the authorised construction and illegal use of the premises at Door No.22/28, Sriman Srinivasan Road, Alwarpet, Chennai.

For Petitioner : Mr.V.P.Raman
For Mr.Govind Chandrasekhar

For Respondents : Mr.C.Manuswamy (For R4)
State Government Counsel

M/s.P.Veena Suresh (For R1)

Mr.K.Raja Srinivas
Senior Standing Counsel
(For R2 & R3)

Mr.G.Vivekanand (For R5)

ORDER

(Order of the Court was passed by N.KIRUBAKARAN, J)

The matter was heard through ''Video Conference''.

2. The petitioners have come before this Court seeking issuance of a Writ of Mandamus directing Respondent Nos.1 to 4 to take immediate action against the Fifth Respondent for unauthorised construction and illegal use of premises at Door No.22/28, Sriman Srinivasan Road, Alwarpet, Chennai owned by the Sixth Respondent and run by the Fifth Respondent, who is a lessee under the Sixth respondent.

3. When the matter is called today, the Fifth Respondent has filed an Affidavit dated 03.08.2021 as per the earlier order, agreeing to vacate the premises by September 2021. Paragraph No.3 of the affidavit reads as follows:-

"3. I state that as of now classes are being conducted only through online mode. Hence, I crave leave of this Hon'ble Court to grant time till September 2021 for the Fifth Respondent to vacate the premises."

4. Since the petitioners are convinced with the Affidavit filed by the Fifth Respondent, recording the undertaking given



by the Fifth Respondent by way of Affidavit that the Fifth Respondent would vacate the premises by September, 2021, the Writ Petition is disposed of. Consequently, connected Miscellaneous Petitions are closed. No costs.

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5. It is made clear that if there is any violation and if any action is already taken, there is no bar for the Official Respondents to proceed against the person, who committed violations.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

Maya

To

1. The Chennai Metropolitan Development Authority,
Represented by its Member Secretary,
Thalamuthu Natarajan Building,
Gandhi Irwin Road,
Egmore, Chennai - 600 008.
2. The Commissioner,
Corporation of Greater Chennai
Ripon Buildings,
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3. The Zonal Officer,
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Zone IX (Teynampet),
No.8, Lake Area,
Nungambakkam,
Chennai - 600 034.
4. The Director of School Education,
DPI Campus, College Road,
Chennai - 600 006.

+1cc to M/s.P.Veena Suresh, Advocate, S.R.No.39139
+1cc to Mr.K.Raja Srinivas, Senior Standing Counsel, S.R.No.38914
+1cc to Mr.Govind Chandrasekhar, Advocate, S.R.No.38896
+1cc to the Government Pleader, S.R.No.38815

W.P.NO.7150 OF 2021

GPL(CO)
PBS/31/08/2021