

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.04.2021

CORAM :

The Hon'ble Mr.SANJIB BANERJEE, THE CHIEF JUSTICE

AND

The Hon'ble Mr.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.12140 of 2019

D.Elisa

.. Petitioner

-vs-

1.The Chief Executive Officer,
Chennai Metropolitan Development Authority,
'Thalamuthu-Natarajan Maaligai',
No.1, Gandhi Irwin Road, Egmore,
Chennai 600 008.

2.The Executive Engineer - Zone V,
Zonal Office, No.58, Ward Zone-5,
Kannappa Thidal, Chennai.

3.Seventh Day Adventists Matriculation
Higher Secondary School,
Rep. by its Secretary, Indian Financial
Association of Seventh Day Adventists,
No.16, Valliyammal Road, Vepery,
Chennai 600 007.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the 1st and 2nd respondents to take suitable action on the illegal construction put up by the 3rd respondent in the school premises at No.16, Valliyammal Road, Vepery, Chennai 600 007 without sanction plan from the respondents as claimed in the petitioner representation dated 12.05.2018 followed by a reminder dated 03.04.2019 within a time bound period.

For Petitioner

: Mr.Mohanamurali. K.

For Respondents

: No appearance for R-1

: Mr.R.Gopinath

Stdg. Counsel for R-2

: Mr.R.Mohan for R-3

ORDER
(Made by The Hon'ble Chief Justice)

The grievance of the writ petitioner is in respect of some perceived illegal construction put up by the third respondent in a school.

2. It is submitted on behalf of the petitioner and confirmed on behalf of the Greater Chennai Corporation that appropriate measures have been initiated against the relevant school and steps have been taken for demolishing the construction to the extent the same is illegal.

3. Since the appropriate authority tasked to look into the matter and take necessary steps has initiated measures in respect of the matters complained of by the petitioner, the petition may no longer be necessary.

4. Accordingly, W.P.No.12140 of 2019 is disposed of without prejudice to the rights of the third respondent and by recording that the relevant Corporation will remain authorised to take appropriate steps in accordance with law in respect of the matters complained of.

There will be no order as to costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

sra

To

1.The Chief Executive Officer,
Chennai Metropolitan Development Authority,
'Thalamuthu-Natarajan Maaligai',
No.1, Gandhi Irwin Road, Egmore, Chennai 600 008.

2.The Executive Engineer - Zone V,
Zonal Office, No.58, Ward Zone-5,
Kannappa Thidal, Chennai.

+1 cc to Mr.R.Gopoinath, Advocate Sr.No. 24575

+1 cc to M/s.K.Mohanamurali, Advocate Sr.No. 24415

+1 cc to M/s.R.Mohan, Advocate Sr.No. 24225

W.P.No.12140 of 2019

PMK (CO)

RMP (30/04/2021)