

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 30.03.2021

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

AND

THE HONOURABLE MR. JUSTICE A.A.NAKKIRAN

W.P.No.17453 of 2018
and W.M.P.Nos.20737 and 20738 of 2018

Mr.V.Venkatesan

..Petitioner

Versus

1. The Secretary to Government
Housing and Urban Development Department,
Fort St.George, Chennai 600 009.
2. The Additional Secretary to Government,
Housing and Urban Development Department,
Fort St.George,
Chennai 300 009.
3. The Commissioner,
Corporation of Greater Chennai,
Rippon Building,
Chennai 3.
4. The Member Secretary,
Chennai Metropolitan Development Authority,
Gandhi Irwin Road,
Egmore, Chennai 8.
5. The Assistant Engineer,
Div.No.154, Zone XI,
Corporation of Greater Chennai,
Valasaravakkam, Chennai.
6. The Assistant Executive Engineer,
Unit-34, zone-11,
Corporation of Greater Chennai,
Valasaravakkam, Chennai.
7. The Executive Engineer,
Zone 11, Corporation of Greater Chennai,
Valasaravakkam, Chennai.

.. Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari Calling for the entire records of the 3rd respondent (The Corporation of Greater Chennai) issued through the respondents 5 to 7 vide Notice No.Zone-11/ Unit-34/ div-154/27/201 Locking and Sealing Notice dated 06.01.2018 Under Sec.56 and 57 read 10 with Section 85 of the Tamilnadu Town and Country Planning Act 1971 contemplating locking & sealing and demolition action and De-occupation Notice Notice No.EE.Zone XI/27/ 2018 dated 07.02.2018 and consequential order of the 2nd respondent dated 13.06.2018 vide Letter No.4034/ UD-VI(1)/ 2018-6 and quash the same.

For Petitioner : Mr.A.Chandrasekar

For RR1 and 2 : Mr.R.Vijayakumar
Additional Government Pleader

For RR3, 6 & 7 : Mr.Raja Srinivas
Senior Standing Counsel

ORDER

[Order of the Court was made by M.SATHYANARAYANAN, J.]

This Court, in continuation and in conjunction with the earlier order dated 08.03.2021, is passing the following order.

2. Mr.Suresh Kumar, Zonal Officer, Zone 11 of Greater Chennai Corporation is present before this Court through Video Conferencing.

3. The learned counsel appearing for the petitioner has drawn the attention of this Court to the Memo filed by the petitioner vide USR.No.13282 dated 25.03.2021 and in the light of the same, the petitioner is permitted to withdraw this Writ Petition .

4. Status Report of the 7th respondent dated 26.03.2021 would read among other things that in compliance of the order, inspection of the building was caused and the petitioner has neither carried out any rectification works nor submitted any rectification plan to the Greater Chennai Corporation and that apart also created third party right in favour of one Mr.F.Faridul Idris, during the pendency of the above said Writ Petition and therefore, a De-occupation notice dated 19.03.2021 has also been issued to Mr.F.Faridul Idris.

5. In the light of the stand taken by the 7th respondent, it is open to the said official to proceed further in accordance with law and complete the said exercise as expeditiously as possible.

6. The Writ Petition is dismissed as withdrawn with the above observations. No costs. Consequently connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

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Housing and Urban Development Department,
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W.P.No.17453 of 2018

GPL(CO)
PM(13/07/2021)