

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.06.2022

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.No.5882 of 2022

and

W.M.P.Nos.5987 & 5989 of 2022 and 5985 of 2022

Hema Chandra Raja

... Petitioner

vs.

1. The Secretary,
Municipal Administration and Water Supply
Department,
Government of Tamil Nadu,
Fort St.George,
Chennai 600 009.

2. The Commissioner,
Greater Chennai Corporation,
Rippon Buildings,
Chennai 600 003.

3. The Zonal Officer,
Zone X,
Greater Chennai Corporation,
No.64, N.S.K.Salai,
Kodambakkam,
Chennai 600 024.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Certiorarified Mandamus, calling for the records of the 2nd respondent in respect of Tender Reference No.Br.D.C.No.B3/1005/2018 quash the same and direct the 2nd respondent to relocate the construction of the proposed pile foundation at the entrance of the juice shop of the petitioner shop bearing No.GS2, Ground Floor, Door Nos.34 & 35, Madley Road, Chennai 600 017.

For Petitioner : Mr.N.Senthil Kumar

For R1 : Mr.B.Tamilnidhi
Addl.Govt.Pleader.

For R2 & R3 : Ms.P.T.Ramadevi
Standing Counsel

ORDER

After hearing the learned counsel for the petitioner and the learned Special Government Pleader for R1 and the learned counsel for R2 and R3 and averments made in paragraph Nos.11 and 12 of the counter affidavit.

2. Though the petitioner has challenged the tender notification, in view of the averments made in paragraph Nos.11 and 12 of the counter of the 2nd and 3rd respondent, there is no necessity to pass any orders to the tender notification impugned in the present writ petition.

3. The relevant portion of the counter affidavit reads as under:-

"11. I respectfully submit that earlier in the South Usman Road and Madley Road Junction Corner, a foundation and a steel column has been proposed for staircase landing in front of the juice shop and on the foot path portion and not any patta land. I further submit that now it is proposed to provide a lift instead of a staircase inside the MLA office premises, since already an escalator and a staircase have been provided in the opposite side.

12. I respectfully submit that the foundation for steel column will be provided at the MLA office premises and not at the entrance of the juice shop or any patta land. Therefore, the question of constructing a new foundation or new pillars in front of the juice shop does not arise. I further submit that the question of damage of mother pillar and safety of the building does not arise."

4. In view of the above, this writ petition is closed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

kkd

To

1. The Secretary,
Municipal Administration and Water Supply
Department,
Government of Tamil Nadu,
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Chennai 600 009.
2. The Commissioner,
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Chennai 600 003.
3. The Zonal Officer,
Zone X,
Greater Chennai Corporation,
No.64, N.S.K.Salai,
Kodambakkam,
Chennai 600 024.

+1cc to Mr.P.T.Ramadevi, Advocate, S.R.No.38472

+1cc to Mr.N.Senthil Kumar, Advocate, S.R.No.38641

+1cc to the Government Pleader, S.R.No.39018

W.P.No.5882 of 2022

SSI(CO)
UMA(12/07/2022)