



WEB COPY



W.P.No.16794 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.07.2022

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA
AND
THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.No.16794 of 2022

J.Harikrishnan

.. Petitioner

-VS-

1.The Commissioner,
Greater Chennai Corporation,
Chennai.

2.The Executive Engineer,
No.61, Basin Bridge Road,
Royapuram,
Chennai – 600 021.

3.The Inspector of Police,
Flower Bazar Police Station,
Chennai.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India,
praying for issuance of a Writ of Mandamus directing the respondents
to execute the demolition order in W.D.C.No.DA/WDCNO5/00326/2022
dated 25.05.2022.

For Petitioner :: Mr.A.Manojkumar

For Respondents :: Mr.K.V.Sajeev Kumar,
Special Government Pleader for R3
Mr.K.Raja Shrinivas,
Standing Counsel for Corporation
for R1 and R2



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ORDER

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(Order of the Court was made by T.RAJA, J.)
Mr.J.Harikrishnan, the petitioner herein has filed this petition for issuance of a writ of Mandamus seeking a direction to the respondents to execute the demolition order in W.D.C.No.DA/WDCNO5/00326/2022 dated 25.05.2022 issued by the Executive Engineer, Town Planning Section – Royapuram granting permission to demolish the building in question, bearing New door No.8 and Old Door No.8, Block No.65, Plot No.Nil, Survey No.R.S.No.7563, Washermen Ali Lane, Kondithoppu, V.O.C.Nagar, Chennai.

2.When the matter is taken up for hearing, the learned Standing Counsel appearing for R1 and R2 submitted that the building in question was examined and the Executive Engineer has granted approval for the demolition of the above building. Therefore, the petitioner cannot come to this Court to execute the demolition order in W.D.C.No.DA/WDCNO5/00326/2022 dated 25.05.2022.

3.Since the Executive Engineer, Town Planning Section – Royapuram, Greater Chennai Corporation vide order dated 25.05.2022, has granted approval/permission to demolish the building



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with certain conditions, namely, a)Suitable arrangements should be made to reduce the dust nuisance; b)Necessary barricading with the suitable material should be provided; c)All pre-cautionary measures should be taken to prevent danger and damages to the neighbouring building and passerby; d)If the building is occupied by the tenant(s), demolition of the building should be taken only after evicting the tenant(s) from the building through due process of law; and e)This permission is only for the demolition of the existing building and not for regularisation of un-authorized sub-division of plot if any, we are inclined to dismiss this petition as the prayer sought for by the petitioner in this writ petition has been complied with by the respondents. Accordingly, this writ petition stands dismissed. However, there is no order as to costs.

(T.R.,J.) (K.B.,J.)
04.07.2022

vga



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T.RAJA, J.
and
K.KUMARESH BABU,J.

vga

To

- 1.The Commissioner,
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