



W.P.No.19070 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.10.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
AND
THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

W.P.No.19070 of 2022

M.Noorullah Shariff

...Petitioner

Vs.

- 1.The Corporation of Chennai,
Rep. By its Commissioner,
Rippon Building, Chennai.
- 2.The Assistant Executive Engineer,
Unit 35, Greater Chennai Corporation,
Zonal Office, Corporation Office,
No.1, New Street, Alandur,
Chennai-16.
- 3.The Assistant Engineer,
Div 160, Greater Chennai Corporation,
Zonal Office, Corporation Office,
No.1, New Street, Alandur,
Chennai-16.
- 4.The District Collector,
Kanchipuram District.
- 5.P.Gomathi Shankar



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6.The Government of Tamil Nadu,
Rep. By its Secretary,
Housing and Urban Development Department,
Fort St.George, Chennai.

7.C.Raghavan

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking issuance of Writ of Mandamus, directing the 6th respondent to dispose of the appeal filed by the 5th respondent as sought vide petitioner's representation dated 04.12.2021 and consequently direct the respondents 1 to 4 to remove the unauthorized construction put up by the 5th respondent at Door No.1B/9, Railway Station Road, Chennai – 16 and the encroachment caused upon the road.

For Petitioner : Mr.N.A.Nassir Hussain

For Respondents : Mr.S.Gopinathan

Standing Counsel for R1 to R3

Mr.Vadivelu Deenadayalan

Additional Government Pleader for R4 &R6

Mr.T.Ramachandran for R5



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ORDER

(Order of the Court was made by R.SUBRAMANIAN, J.)

The prayer in the Writ Petition reads as follows:-

directing the 6th respondent to dispose of the appeal filed by the 5th respondent as sought vide petitioner's representation dated 04.12.2021 and consequently direct the respondents 1 to 4 to remove the unauthorized construction put up by the 5th respondent at Door No.1B/9, Railway Station Road, Chennai – 16 and the encroachment caused upon the road.

2.It is now reported by Mr.Vadivelu Deenadayalan, learned Additional Government Pleader appearing for the 6th respondent that the Special Revision filed under Section 80-A of the Tamil Nadu Town and Country Planning Act has been disposed of on 10.10.2022, directing the Corporation to take fresh steps by following the statutory procedures. Therefore, this Writ Petition has become infructuous. However, the Corporation is required to implement the order of the Government dated 10.10.2022 in its letter and spirit.



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3.In view of the above, this Writ Petition is disposed of as having become infructuous. No costs.

(R.S.M.,J.) (T.V.T.S., J.)
14.10.2022

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Internet:No

Index:Yes

Non-speaking order



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R.SUBRAMANIAN, J.
and
T.V.THAMILSELVI, J.

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