



W.P.No.4595 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

AND

THE HONOURABLE MR.JUSTICE P. DHANABAL

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Sivagurunathan

... Petitioner

versus

- 1.The Commissioner,
Sembakkam Municipality,
East Tambaram, Chennai-600 073.
- 2.The Member Secretary
Chennai Metropolitan Development Authority
No.1, Gandhi-Irwin Road,
Egmore, Chennai-600 008.
- 3.Tamil Nadu Electricity Generation & Distribution Corpon. Ltd.
Rep. by its Executive Engineer
Sembakkam Municipality.
- 4.Janaki Ammal
- 5.P.K.Rajan
- 6.K.Soba Krishnan
- 7.A.Jothi
- 8.A.Shamala
- 9.K.Ravi
- 10.R.Sanjana
- 11.Master R.Rahul

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12.G.Shabhi Stephen
13.M.Madhankumar
14.U.Arumugam
15.R.Rajasekaran
16.B.Vithiya
17.S.Sivaraman
18.M.Vidhyalakshmi

19.The Secretary Housing and Urban Development Dept
Government of Tamil Nadu
Secretariat, Chennai.9.

... Respondents

(R9-Suo Motu impleaded as per order
dated 28.08.18 by MVJ & SRTJ in WP.4595/18)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for the issuance of a writ of Mandamus directing the respondents 1 and 2 to demolish the unauthorised construction in S.No.111/1 and 111/2 of 1, Bhavanandiar Street, Kamarajapuram, Selaiyur Post, East Tambaram, Chennai-600 073 measuring an extent of 2993 Sq.Ft. and for consequential orders.

For Petitioner	: Ms.Abiramee
For Respondents	: Mr.P.Srinivas, Standing Counsel, for the first respondent Mr.R.Thamarai Selvan, Standing Counsel, for the second respondent, CMDA Mr.L.Jai Venkatesh, for the third respondent Mr.M.Muthappan, for respondents 4 to 11 Mrs.R.Raja Ramani, for respondents 15 to 18 Mr.E.Vijay Anand, Additional Government Pleader, for respondent No.19



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ORDER

(Order of the Court was made by *D.KRISHNAKUMAR, J.*)

This writ petition has been filed for a Mandamus directing the respondents 1 and 2 to demolish the unauthorised construction in S.No.111/1 and 111/2 of 1, Bhavanandiar Street, Kamarajapuram, Selaiyur Post, East Tambaram, Chennai-600 073 measuring an extent of 2993 Sq.Ft. and for consequential orders.

2. Today, learned Additional Government Pleader has placed a letter, Letter No.4300624/UD-5(1)/2023-1 dated 10.03.2023, before this Court, sent by the Deputy Secretary to Government to the Additional Government Pleader, wherein it is stated that the Review petition dated 19.07.2016, filed by the 9th respondent against the Government order, G.O.(3D) No.101, Housing and Urban Department, dated 13.06.2016, was rejected by a Government Order, G.O.(3D) No.12, Housing and Urban Department (U-D5) Department, dated 05.03.2019.



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P. DHANABAL, J.

(mrn)

3. In view of the aforesaid order passed by the Government, the prayer as sought for in this writ petition has become infructuous. Hence, the writ petition is dismissed as infructuous. It is for the petitioner to work out his remedy as per the law. There will be no order as to costs.

[D.K.K., J.] [P.D.B., J.]
27.06.2023

Index : Yes/No
Neutral Citation : Yes/No
mrn

To

1.The Commissioner,
Sembakkam Municipality,
East Tambaram, Chennai-600 073.

2.The Member Secretary
Chennai Metropolitan Development Authority
No.1, Gandhi-Irwin Road,
Egmore, Chennai-600 008.

3.The Executive Engineer
Tamil Nadu Electricity Generation & Distribution Corpon. Ltd.
Sembakkam Municipality.

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