



W.P.No.13054 of 2023

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 07.06.2023**

**CORAM :**

**THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH**

**Writ Petition No.13054 of 2023**

V.Murali

.... Petitioner

-Vs-

The Chief Executive Officer  
Cantonment Board, St.Thomas Mount  
Chennai 600 016.

.... Respondent

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondent to pass demolition order on petitioner's representations dated 20.03.2020 and 30.06.2022 to the extent of 1812 sq.ft comprising survey no.1797, GLR No.256/128, situated at Parangimalai Cantonment Village, Alandur Taluk, St.Thomas Mount, Chennai 600 016.

For Petitioners : Mr.G.Peranban  
For Respondent : Mr.C.Mohan  
-for M/s.King and Patridge

**ORDER**

This writ petition has been filed for the issuance of a writ of Mandamus directing the respondent to consider the representations made by the petitioner on 20.03.2020 and 30.06.2022 wherein the petitioner has sought for permission from the respondent to demolish the existing constructions.



2. When the matter was taken up for hearing, the learned counsel appearing on behalf of the respondent submitted that the revenue documents shows that the petitioner is entitled only for 1551 sq.ft. To substantiate the same, the patta issued by the Tahsildar in the name of the petitioner was also produced before this Court. The learned counsel submitted that the petitioner is seeking for demolition of four shops in an extent of 1812 sq.ft. In view of the same, the petitioner was directed to properly identify 1551 sq.ft and thereafter approach the respondent seeking for permission to demolish the structures. Since the petitioner was not able to identify, the respondent had no occasion to act upon the representations made by the petitioner.

3. In the considered view of this Court, the petitioner is holding an excess of 261 sq.ft and it is not known as to how the petitioner came into possession of the excess land than the extent for which he was granted patta to an extent of 1551 sq.ft. Therefore, unless the petitioner is able to identify 1551 sq.ft and the construction put up over that extent of property, the respondent will not be in a position to grant any permission. Hence, no useful purpose will be served in directing the respondent to consider the representations made by the petitioner.

4. In the light of the above discussion, this writ petition is disposed of with a direction to the petitioner to properly identify 1551 sq.ft of land for which he has been given patta and thereafter make a fresh representation to the respondent. As and



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when such a representation is made, the respondent shall consider the same and take a decision as expeditiously as possible. The petitioner has also sought for building permission. This request will arise only after the petitioner identifies 1551 sq.ft and the demolition permission is granted by the respondent. This writ petition is disposed of accordingly. No costs.

**07.06.2023**

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Index : Yes/No  
Neutral Citation : Yes/No  
KST

To

The Chief Executive Officer  
Cantonment Board, St.Thomas Mount  
Chennai 600 016.



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**N.ANAND VENKATESH, J.**

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