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W.P.No.26205 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.09.2023

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.26205 of 2023

M/s.Tamilnadu Housing Board
Resident Welfare Association
Regn.No.359/1996
Represented by its Authorized Signatory
K.M.Thangaraj
HIG Block, TNHB Colony
Velachery, Chennai 600 042.

...Petitioner

Vs.

- 1.The Chennai Metropolitan Development Authority,
Rep by its Member Secretary,
Thalamuthu Natarajar Maligai,
Chennai – 600 008.
- 2.The Commissioner,
Corporation of Chennai,
Ribbon Buildings,
Chennai – 600 003.
- 3.Tamilnadu Housing Board,
Represented by its Managing Director,
CMDA Complex, E and C Market Road,
Koyambedu, Chennai – 600 104.



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4. Tamilnadu Housing Board,
Represented by its Executive Engineer
& Administrative Officer,
Besant Nagar Division, No. 48, Muthulakshmi Salai,
Adyar, Chennai – 600 020.

4. A.Pandurangan,

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 4 herein to consider the representation of the petitioner dated 28.06.2023 and pass orders illegal conversion of the lands in R-79, Velachery TNHB and take appropriate steps to ensure the site in Plot No.79 maintained as Nursery School Site and used only for the school and educational institutional purposes.

For Petitioner : Mr.N.Baaskaran

For Respondents : Mr.Y.Bhuvanesh Kumar for R1
Standing Counsel (CMDA)

Mr.D.B.R.Prabhu for R2
Standing Counsel (GCC)

Mr.D.Veerasekaran for R3
Standing Counsel (TNHB)



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ORDER

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The petitioner herein seeks a direction to the respondents 1 to 4 to consider his representation dated 28.06.2023 and pass necessary orders for taking action against illegal conversion of land in R-79, Velachery TNHP.

2. When the matter is taken up for hearing, the learned counsel for the first respondent brought to the notice of this Court that land in question has already been reclassified as residential use zone by Gazette Notification dated 22.07.2021. Therefore the prayer sought for by the petitioner cannot be granted. However, it is open to the petitioner to challenge the Gazette notification in the manner known to law.

3. Accordingly, this Writ Petition stands dismissed with the aforesaid liberty. No costs.

07.09.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
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S.SOUNTHAR, J.

dna

To

- 1.The Member Secretary,
Thalamuthu Natarajar Maligai,
Chennai – 600 008.
- 2.The Commissioner,
Corporation of Chennai,
Ribbon Buildings,
Chennai – 600 003.
- 3.The Managing Director,
CMDA Complex, E and C Market Road,
Koyambedu, Chennai – 600 104.
- 4.The Executive Engineer
& Administrative Officer,
Besant Nagar Division, No. 48, Muthulakshmi Salai,
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