



W.P.No.9725 of 2017

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.07.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKEVALU

W.P.No.9725 of 2017

K.Perumal

..

Petitioner

Vs.

1. The State of Tamil Nadu
Rep. by the Secretary to Government
Housing and Urban Development Department
Secretariat, Chennai 600 009.
2. The Member Secretary
Chennai Metropolitan Development Authority
Chennai 600 008.
3. The Commissioner
Corporation of Chennai
Ripon Building
Chennai 600 003.
4. The Executive Engineer
New Zone IV
Corporation of Chennai
No.281, T.H.Road
Tondiarpet, Chennai 600 081.



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5. The Correspondent
Don Bosco Matriculation School
2nd & 3rd Cross Street
MKB Nagar
Chennai 600 039.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus, directing respondents 1 to 4 to enforce the locking and sealing and demolition notice bearing letter No.D/SPL/ AE/33 dated 12.12.2011 issued by respondent No.4 against respondent No.5.

For the Petitioner : Mr.M.Radhakrishnan

For the Respondents : Mrs.R.Anitha
Special Government Pleader
for R1

Mr.C.Johnson
for R2

Mr.P.Gopinathan
for R3 & R4

Mr.K.Doraisamy
Senior Counsel
for Mr.N.Ishtaiq Ahmed
for R5



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ORDER

(Made by the Hon'ble Chief Justice)

Heard Mr.M.Radhakrishnan, learned counsel for the petitioner, Mrs.R.Anitha, learned Special Government Pleader for respondent 1, Mr.C.Johnson, learned counsel for respondent 2, Mr.P.Gopinathan, learned counsel for respondents 3 & 4 and Mr.K.Doraisamy, learned Senior Counsel for Mr.N.Ishtaiq Ahmed, learned counsel for respondent 5.

2. It is submitted that the fifth respondent has filed an application for regularisation with the Chennai Metropolitan Development Authority (2nd respondent). The Government Order permitting regularisation is set aside by this Court and now, the matter is subjudice before the Apex Court.

3. We have disposed of other writ petitions, with an observation that, "if subsequently after the orders are passed by the Apex Court and the petitioners have any remedy open, they are entitled to agitate the same afresh. In that event, all contentions are kept open". We have observed that the parties may take steps pursuant to the



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judgment of the Apex Court.

4. In case, after the judgment of the Apex Court, if it is found that the fifth respondent is not entitled for regularisation, then the petitioner may agitate afresh.

5. With these observations, the writ petition stands disposed of. There will be no order as to costs. Consequently, W.M.P.No.9832 of 2018 is closed.

(S.V.G., CJ.)

(P.D.A., J.)

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Index : Yes/No
Neutral Citation : Yes/No

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THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKESSAVALU, J.

(drm)

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