



W.P.No.7872 of 2017

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.07.2023

CORAM :

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

AND

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

W.P.No.7872 of 2017

Meenava Thanthai K.R.Selvaraj Kumar
Meenavar Nala Sangam
(Registered under Section 10 of the Tamil Nadu
Societies Act, in Si.No.205 of 2015
dated 26.06.2015)
Rep. by its President M.R.Thiyagarajan
S/o late C.Rajalingam
Office at No.15/8, A.J.Colony
Royapuram, Chennai – 600 013. .. Petitioner

Vs.

1. The Member Secretary
Chennai Metropolitan Development Authority
Thalamuthu Natarajan Buildings
Egmore, Chennai – 600 008.
2. The Commissioner
Corporation of Greater Chennai
Ripon Building, Chennai – 600 003.
3. M/s.KTV Health Food Private Ltd.
Rep. By its Managing Director
Having its Principal Office at
No.1, Sooriya Narayan Chetty Street
Thondiarpet, Chennai – 600 081. .. Respondents



W.P.No.7872 of 2017

WEB COPY

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus, directing the first respondent to consider the petitioner's representation dated 30.12.2016 in respect of illegal construction put up by third respondent at No.1, Sooriya Narayana Chetty Street, Tondiarpet, Chennai – 600 081 and demolish the same.

For the Petitioner : Mr.K.Mageshwaran

For the Respondents : Ms.P.Veena Suresh
for R1

Mr.D.B.R.Prabhu
for R2

Mr.R.Saravana Kumar
for R3

ORDER

(Made by the Hon'ble Chief Justice)

Heard Mr.K.Mageshwaran, learned counsel for the petitioner, Ms.P.Veena Suresh, learned counsel for the first respondent, Mr.D.B.R.Prabhu, learned counsel for the second respondent and Mr.R.Saravana Kumar, learned counsel for the third respondent.



W.P.No.7872 of 2017

WEB COPY

2. Status report is filed on behalf of the Greater Chennai Corporation.

3. The petitioner has sought demolition of a construction, put-up by the third respondent at No.1, Sooriya Narayana Chetty Street, Tondiarpet, Chennai – 600 081.

4. The National Green Tribunal has passed an order against the third respondent. The third respondent filed an appeal before the Apex Court in Civil Appeal No.3626 of 2020. The Apex Court passed the following orders:

“61. The upshot of the above discussion is as follows:

As regards the pipelines which have been drawn the appellants may approach the relevant District Coastal Zonal Management Authority within a period of one month from today. The District Coastal Zonal Management Authority will consider any application made in regard to the continued use of the pipeline and take a decision in accordance



W.P.No.7872 of 2017

WEB COPY

with law within a further period of six weeks from the date of the receipt of the application.

62. In view of the request made by the appellants that they may be permitted to continue to use the pipeline along with the storage facility for a period of one year, we would think that the interest of justice do require grant of some time. The appellants are accordingly given a period of six months from today to comply with the impugned order of the NGT. This is in regard to the direction to demolish the storage tanks. The appellant in the first appeal is given a month's time to pay the compensation ordered, if not already paid."

5. In view of the above, the writ petition stands disposed of. There will be no order as to costs. Consequently, W.M.P.No.8586 of 2017 is closed.

(S.V.G., CJ.)

(P.D.A., J.)

20.07.2023

Index : Yes/No

Neutral Citation : Yes/No

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W.P.No.7872 of 2017

WEB COPY

To

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W.P.No.7872 of 2017

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

(drm)

W.P.No.7872 of 2017

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