



W.P.No.1133 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.03.2024

CORAM :

THE HON'BLE MR. JUSTICE S.S.SUNDAR
AND
THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

W.P.No.1133 of 2022

P.Velmurugan .. Petitioner

v.

1. The Additional Secretary
Housing and Urban Development Department
St.George Fort, Secretariat,
Chennai 600 009
2. The Secretary
Tamil Nadu Slum Clearance Board
Kamaraj Salai, Triplicane
Chennai 600 005
3. The Commissioner
Greater Chennai Corporation
Ripon Building
Chennai 600 003
4. The Executive Engineer
Greater Chennai Corporation, Zone-7
Chennai



W.P.No.1133 of 2022

WEB COPY

5. The Area Square Engineer
Greater Chennai Corporation, Division-83
Unit 18, Zone VII
Thiruvallur High Road
Ambathur, Chennai

6. The Assistant Executive Engineer
Division-83, Unit 18, Zone VII
Thiruvallur High Road
Ambathur, Chennai

7. The Chairman
TANGEDCO
Mount Road, Chennai

8. The Executive Engineer
TANGEDCO
Ambathur (Central), Chennai

9. The Assistant Executive Engineer
OEM / Annai Nagar
CEDC/ West Anna Nagar
Korattur, Chennai 600 040

10.Sridher .. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorari, to call for the records relating to the order passed by the 1st respondent vide Reference Letter Number 2762/UD-VI(1)/2021-2 dated 12.04.2021 based on the De-Occupation Notice vide Notice No.Zone/TPENF/412/2018 dated 02.01.2020 sent by the respondents Nos.3 to 6 and quash the same based on the G.O. (Ms).83 dated



W.P.No.1133 of 2022

11.06.2019.

WEB COPY

For Petitioner :: Mr.N.Vijaya Basker

For Respondents :: Mrs.V.Yamuna Devi
Special Government Pleader for R1
Mr.S.Karthikeyan
Standing Counsel for R2
Mr.E.C.Ramesh
Standing Counsel for R3 to R6
No appearance for R7 to R9
Mr.J.Selvaraja for R10

ORDER

(Order of the Court was made by S.S.SUNDAR,J.)

This writ petition is filed for issuance of a writ of certiorari to call for the records relating to the order passed by the 1st respondent vide Reference Letter Number 2762/ UD-VI(1)/2021-2 dated 12.04.2021 based on the De-Occupation Notice vide Notice No.Zone/TPENF/412/2018 dated 02.01.2020 sent by the respondents Nos.3 to 6 and quash the same based on the G.O. (Ms).83 dated 11.06.2019.

2. At the instance of the tenth respondent, who is a neighbour of the



W.P.No.1133 of 2022

petitioner, the respondents 3 to 6 have issued de-occupation notice dated 02.01.2020 to the petitioner. The petitioner, challenging the said notice, has filed a revision under Section 80-A of the Tamil Nadu Town and Country Planning Act, 1971 before the first respondent, which was later dismissed on 12.04.2021. The petitioner has filed this writ petition challenging the order dated 12.04.2021 passed by the first respondent in the revision petition filed under Section 80-A of the Tamil Nadu Town and Country Planning Act.

3. The learned counsel for petitioner has produced before this Court an order dated 07.03.2022 passed by the first respondent exempting the petitioner's building bearing Door No.13, Gandhi Nagar, Cross Street, Srinivasapuram, Korattur, Chennai from obtaining planning approval from the concerned planning authority as well as the Government. In view of the subsequent order passed by the first respondent dated 07.03.2022, the learned counsel for the petitioner states that nothing survives for adjudication in this writ petition.



W.P.No.1133 of 2022

4. Though the learned counsel appearing for tenth respondent has serious objections, this Court has no reason to keep this writ petition pending, when the order impugned in this writ petition has already been modified by another order of Government dated 07.03.2022. In the result, this writ petition stands closed recording the submission of the learned counsel for the petitioner in pursuance of the order passed by the first respondent dated 07.03.2022. Consequently, W.M.P.Nos.1193 & 1198 of 2022 are also closed. No order as to costs.

Index : yes/no
Neutral citation : yes/no

(S.S.S.R.,J.) (N.S.,J.)
19.03.2024

ss

To

1. The Additional Secretary
Housing and Urban Development Department
St.George Fort, Secretariat,
Chennai 600 009
2. The Secretary
Tamil Nadu Slum Clearance Board
Kamaraj Salai, Triplicane
Chennai 600 005



W.P.No.1133 of 2022

WEB COPY

3. The Commissioner
Greater Chennai Corporation
Ripon Building
Chennai 600 003
4. The Executive Engineer
Greater Chennai Corporation
Zone-7, Chennai
5. The Area Square Engineer
Greater Chennai Corporation, Division-83
Unit 18, Zone VII
Thiruvallur High Road
Ambathur, Chennai
6. The Assistant Executive Engineer
Division-83, Unit 18, Zone VII
Thiruvallur High Road
Ambathur, Chennai
7. The Chairman
TANGEDCO
Mount Road, Chennai
8. The Executive Engineer
TANGEDCO
Ambathur (Central), Chennai
9. The Assistant Executive Engineer
OEM / Annai Nagar
CEDC/ West Anna Nagar
Korattur, Chennai 600 040



WEB COPY



W.P.No.1133 of 2022

S.S.SUNDAR,J.

AND

N.SENTHILKUMAR,J.

SS

W.P.No.1133 of 2022

19.03.2024