



WEB COPY



W.P.No.3

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.09.2024

CORAM:

THE HON'BLE MR.D.KRISHNAKUMAR
ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.B.BALAJI

W.P.No.3783 of 2022 and
W.M.P.No.3912 of 2022

S.Selvi

... Petitioner

-VS-

1. The Principal Secretary to Government,
Housing and Urban Development Department,
Fort St.George, Chennai-600 009.
2. The Chief Planner,
Enforcement Wing,
Chennai Metropolitan Development Authority,
Egmore, Chennai-600 008.
3. The Member Secretary,
Chennai Metropolitan Development Authority,
Egmore, Chennai-600 008.
4. The Block Development Officer,
Block Development Office,
Villivakkam Panchayath,
Ambattur, Chennai-600 049.
5. Dr.MGR Educational & Research Institute,
Rep. by its Founder,
Periyar EVR High Road,
Maduravoyal, Chennai-600 095.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of



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a Writ of Mandamus, directing the respondents 2 to 4 to take action against the 5th respondent to stop the illegal construction at S.Nos.34/1B, 34/2A, 34/3A1, 34/3A2, 34/3B1, 34/3B2, 34/3C1, 34/3C2, 34/4A2, 35/2B, 36/2B, 41/2 at Adayalampattu Village, Tiruvallur.

For Petitioner	:	Mr.M.Selvin
For R1 & R4	:	Mr.T.K.Saravanan Govt. Advocate
For R2 & R3	:	Mr.R.Thamarai Selvan Standing Counsel
For R5	:	Mr.V.P.Raman

ORDER

(By Hon'ble Acting Chief Justice)

When the matter is taken up for hearing, Mr.M.Selvin (E.No.3089 of 2016), learned counsel for the petitioner seeks permission of this Court to withdraw this petition and has also made an endorsement to that effect in the Court bundle.

2. At this juncture, learned counsel for the 5th respondent brought to the notice of this Court that the petitioner, on one hand, having granted NOC for construction of the building in question in the capacity as President of Panchayat, on the other, has filed the instant Writ Petition, contrarily seeking a direction to stop the illegal construction on the ground of violation of planning approval.

3. In view of the above submission made by the respondent no.5, while



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granting permission to the petitioner to withdraw the Writ Petition based on the endorsement made in the Court Bundle, we deem it fit to impose costs on the petitioner.

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4. Accordingly, this Writ Petition is dismissed as withdrawn with costs of Rs.5,000/- payable by the petitioner to the the Cancer Institute, Adyar, Chennai-600 020, within a period of two weeks from the date of receipt of a copy of this order. Consequently, connected Miscellaneous Petition is closed.

[D.K.K.,ACJ.]

[P.B.B,J.]

05.09.2024

Index: Yes / No

Internet: Yes / No

Speaking Order/Non Speaking Order
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To:

1. The Principal Secretary to Government,
Housing and Urban Development Department,
Fort St.George, Chennai-600 009.
2. The Block Development Officer,
Block Development Office,
Villivakkam Panchayath,
Ambattur, Chennai-600 049.

HON'BLE ACTING CHIEF JUSTICE,



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AND
P.B.BALAJI,J.,
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