



WEB COPY



W.P. No. 7026 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.03.2024

CORAM

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

W.P. No. 7026 of 2024

and

W.M.P. No. 7850 of 2024

Akbar Sheriff

... Petitioner

-VS-

1. The Additional Chief Secretary/Commissioner
Greater Corporation of Chennai,
Ripon Building,
Chennai - 600 003.
2. The Inspector of Police,
D4, Zam Bazaar Police Station,
Chennai - 600 014.
3. Mohammed Noohu
4. U.Mohamed Noohu
5. U.Muhammed Shaikna Lebbai
6. U.Samsudeen
7. A.Abubacker
8. A.Ali Faizal
9. S.Zakir Hussain
10. Hameed Khan

... Respondents



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Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the First Respondent to consider the Petitioner's objections dated 22.02.2024 and also direct the First Respondent and his subordinates not to demolish the building situated at Door No. 224/152, Bharathi Salai (Pycrofts Road), Triplicane, Chennai - 600 005 till passing orders on the Petitioner's objection dated 22.02.2024.

For Petitioner : Mr. A.Ilayaperumal

For Respondents : Mr. D.B.R.Prabhu (for R1)

Mr. J.Subbiah,
Government Advocate (Crl. Side)
(for R2)

ORDER

Heard Mr. A.Ilayaperumal, Learned Counsel for the Petitioner, Mr. D.B.R.Prabhu, Learned Counsel, who takes notice for the First Respondent, and Mr. J.Subbiah, Learned Government Advocate (Criminal Side), who takes notice for the Second Respondent, and perused the materials placed on record, apart from the pleadings of the parties.

2. Having regard to the nature of order proposed to be passed in the Writ Petition, which would not cause any prejudice to the Third to Tenth Respondents, notice to them is dispensed with.



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3. It is the case of the Petitioner that he had raised objections in his representation dated 22.02.2024 for the undated notice in Proceedings No. Z.O.V.C. NO/13329/2023 from the First Respondent for demolition of the building situate at Door No. 224/152, Bharathi Salai (Pycrofts Road), Triplicane, Chennai – 600005, but as it did not evoke any response, it has necessitated the filing of this Writ Petition.

4. Learned Counsel for the First Respondent, on instructions, states that the said notice for demolition has been withdrawn and further action would be taken by the concerned authority as per rules in force after conducting proper inspection in the presence of the Petitioner and all other persons concerned and he has filed a memo dated 15.03.2024 to that effect, which is placed on record.

In such circumstances, the Writ Petition is disposed. Consequently, the connected Miscellaneous Petition is closed. No costs.

15.03.2024

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 05.06.2024.

kv



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To

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1. The Additional Chief Secretary/Commissioner
Greater Corporation of Chennai,
Ripon Building,
Chennai - 600 003.
2. The Inspector of Police,
D4, Zam Bazaar Police Station,
Chennai - 600 014.

Copy to

1. Mohammed Noohu,
S/o. Mohammed Abdul Cader,
Nos. 30 & 31, Alsa Mall Complex,
First Floor, Montieth Road,
Egmore, Chennai - 600 008.
2. U.Mohamed Noohu,
S/o. Mohamed Noohn Uvals,
Nos. 30 & 31, Alsa Mall Complex,
First Floor, Montieth Road,
Egmore, Chennai - 600 008.
3. U.Muhammed Shaikna Lebbai,
S/o. Md Noohn Uvals,
Nos. 30 & 31, Alsa Mall Complex,
First Floor, Montieth Road,
Egmore, Chennai - 600 008.
4. U.Samsudeen, Abdul Kader
S/o. Moamed Nooh Uvals,
Nos. 30 & 31, Alsa Mall Complex,
First Floor, Montieth Road,
Egmore, Chennai - 600 008.
5. A.Abubacker,
S/o. Anwar,
Nos. 30 & 31, Alsa Mall Complex,
First Floor, Montieth Road,
Egmore, Chennai - 600 008.



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6. A.Ali Faizal,
S/o. Anwar,
Nos. 30 & 31, Alsa Mall Complex,
First Floor, Montieth Road,
Egmore, Chennai - 600 008.

7. S.Zakir Hussain,
Nos. 30 & 31, Alsa Mall Complex,
First Floor, Montieth Road,
Egmore, Chennai - 600 008.

8. Hameed Khan,
S/o. Not Known,
No. 2, Lakshmi Nagar,
Porur, Chennai - 600 116.



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P.D. AUDIKESAVALU, J.

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