



WP.No.7342 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.03.2024

CORAM

THE HONOURABLE MR.JUSTICE S.S.SUNDAR
and
THE HONOURABLE MR.JUSTICE N.SENTHILKUMAR

WP.No.7342 of 2024
and WMP.No.8227 of 2024

1. J.Raghupathy
2. J.Pushpaharan

...petitioners

Vs.

1. The Secretary to Government,
Housing and Urban Development Department,
St. George Fort,
Secretariat, Chennai 600 009.
2. The Executive Engineer,
Greater Chennai Corporation,
Zone-VII, CTH Road,
Ambattur, Chennai 600 053.

..respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Certiorarified Mandamus to call for the records of the impugned order dated 07.02.2024 in Letter No.5717766/UD VI(2)/2024-1 on the file of the first respondent and to quash the same and



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consequently direct the 2nd respondent Corporation to permit the petitioners to rectify the building within a time frame as fixed by this Court.

For petitioners : Mr.S.Santhan

For respondents

for R1 : Mr.R.Kumaravel, AGP

for R2 : Mr.D.B.R.Prabhu

ORDER

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

This petition has been filed to quash the order of the first respondent dated 07.02.2024 in Letter No.5717766/UD VI(2)/2024-1.

2. This Court finds no merit in the Writ Petition for the simple reason that the petitioner has challenged the order passed by the Government in the Revision Petition, where the petitioner's prayer has been to remove the articles from the building, which was held to be unauthorised. The petitioner himself has filed a Writ Petition earlier challenging the order passed by the Government, rejecting his revision petition on merits that the unauthorised construction cannot be permitted.



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3. Challenging the earlier order, the petitioner has preferred Writ Petition in WP.No.15206 of 2023 and the Writ Petition was dismissed, confirming the order of the Revisional Authority. Thereafter, the petitioner once again filed a revision when the premises was sealed. The prayer made by the petitioner before the first respondent was to remove the articles, which were put up by the petitioner inside the unauthorised building. When the prayer has been conceded by the respondent, the writ petitioner has again filed this Writ Petition suppressing the nature of disposal and the fact that the order passed in the revision petition by the Government, earlier has been confirmed by this Court. Therefore, this Writ Petition is dismissed for want of merits. No costs. Consequently, connected miscellaneous petition is closed.

(S.S.S.R.J.) (N.S.J.)
18.03.2024

Index : Yes / No
Speaking order: Yes/No
pvs

To

1. The Secretary to Government,
Housing and Urban Development Department,
St. George Fort, Secretariat, Chennai 600 009.
2. The Executive Engineer,
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N.SENTHILKUMAR, J.

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