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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.12.2024

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THE HON'BLE Mr. JUSTICE **C.V.KARTHIKEYAN**

W.P.No.20929 of 2018

and

W.M.P.Nos.24571 & 24572 of 2018

M/s.Devadason & Sagar,
A registered partnership firm Rep. by its Partner,
P.N.George Graham,
No.12, Sunkumrama Street,
Chennai-600 001.

.. Petitioner

Vs.

1.The Commissioner,
Greater Chennai Corporation,
Rippon Building, Chennai-600 003.

2.Executive Engineer,
Zone-5, (Royapuram),
Greater Chennai Corporation,
No.61, Basin Bridge Road,
Chennai-600 021.

3.Assistant Engineer,(TANGEDO)
No.301/181, Thambu (C) Street,
George Town, Chennai-600 001.

4.Assistant Engineer,
(CMWSSB) Depot-60,
No.302/182, Thambu(C) Street,
George Town, Chennai-600 001.

5.M.Mohamed Ismail



6.M.Sadiq Hussain
7.S.Kader Ibrahim
8.M.Ashik Ismail
9.T.Sidiq Rahman
10.Asgar Ali

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, calling for the records relating to the proceedings of the 2nd respondent passed in Z.O.C.No.Dn.60/Spl-5/2018 dated 26.07.2018 and to quash the same.

For Petitioner	.. Mr.Thomas J Jacob
For R1 & R2	.. Mr.V.C.Selvasekaran, Standing Counsel
For R3	.. Mr.L.Jai Venkatesh, Standing Counsel
For R4	.. Mr.N.Srinivasan
For R7	.. Mr.A.Palaniappan
For R5, R6 & R8 to R10	.. Mr.K.Venkateswaran

ORDER

This Writ Petition has been filed in the nature of Certiorari calling for the records to the proceedings of the 2nd respondent, Executive Engineer, Zone-5, (Royapuram), Greater Chennai Corporation, Chennai, in Z.O.C.No.Dn.60/Spl-5/2018 dated 26.07.2018 and to quash the same.



2.The petitioner is the occupant of the premises at No.12, Sunkurama Street, Chennai – 600 001. It is the contention of the 5th to 10th respondents, who are owners of the said building, that the premises is in extremely dilapidated condition and therefore, they had approached the 1st to 4th respondents to demolish the said building. Contending that prior notice had not been issued to the petitioner, the Writ Petition has been filed.

3.An order of interim stay had been granted by my learned predecessor.

4.In the meanwhile, the parties had moved to further forums.

5.The 5th to 10th respondents had filed RLTOP No.289 of 2024 which is pending before the XIII Small Causes Court, Chennai. There is yet another rent control proceedings in RCOP.No.241 of 2015 pending before the XIV Small Causes Court, Chennai, which had been filed seeking restoration of amenities. Independently, the petitioner has also filed C.S.No.10 of 2015 which has now been transferred to the City Civil Court, Chennai, in O.S.No.7276 of 2022 and is pending before the XVIII



Additional City Civil Court, Chennai.

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6.It is contended by the learned Senior Counsel on behalf of the petitioner that the suit had been decreed. The learned counsel who appears for the 5th to 10th respondents may examine that particular issue.

7.The *lis* among the parties have now shifted over to the XIII and XIV Small Causes Court, Chennai and if a petition is filed before the XVIII Additional City Civil Court, Chennai, before that Court. Both the parties are at liberty to raise all issues which are triable under the jurisdiction of those Courts, before such Court. This Writ Petition has become superfluous.

8.With the above observations, this Writ Petition stands disposed of. No costs. Consequently, connected Writ Miscellaneous Petitions are closed.

06.12.2024

Index: Yes/No
Internet: Yes/No
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To



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C.V.KARTHIKEYAN, J.



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