



WEB COPY



W.P.No.26958 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.10.2024

CORAM :

THE HON'BLE MR.K.R.SHRIRAM, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

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Union Bank of India,
Arni-3 Branch,
rep. by its Branch Manager,
SF No.35/12C, C-2 Block,
No.285, Gandhi Road,
Arni-632 301.

.. Petitioner

vs.

- 1.The Commissioner,
Arni Municipality,
Arni Town, Arni,
Thiruvannamalai District.
- 2.The District Collector,
Thiruvannamalai District,
Thiruvannamalai.
- 3.The District Revenue Officer,
Arni Town, Thiruvannamalai District.
- 4.The Revenue Divisional Officer,
Arni Town, Thiruvannamalai District.



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5.The Tasildhar,
Taluk Office, Arni Town,
Thiruvannamalai Dt.

6.The District Inspector of Survey,
Thiruvannamalai District,
Thiruvannamalai.

7.The Executive Engineer,
Public Works Department,
Arni, Thiruvannamalai District.

8.N.Venkatesh Babu

9.V.Preethi

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorarified mandamus calling for the records pertaining to the order passed in Proceedings vide Na.Ka.No.1034/2022/F1 dated 01.08.2024 on the file of the first respondent and quash the same by directing the said respondent to accord building permit and approve building plan submitted by 8th respondent vide online application No.SWP/BPA/0315172/2024 dated 01.08.2024 in respect of the alteration to be carried out and additional buildings to be put up adjoining the existing leased out branch premises in TS Nos.35/12C and 35/13 at Arni Town as expeditiously as possible in accordance with law to facilitate the petitioner's safe and smooth shifting of the safety lockers in the strong room to be construction in the new adjoining premises adhering to the standards of Bureau of Indian Standards No.IS 15369:2003 titled as code of Practice for construction of vault (Strong Room) besides forbearing the respondents 1 to 6 from dispossessing the petitioner bank from the property set out in the impugned demolition notice Ref.Na.Ka.No.1034/2022/F1 dated 01.08.2024 of first respondent without adopting due process of law.



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For Petitioner : Mr.N.Somasundaar

For Respondents : Mr.P.Srinivas
Standing Counsel
for respondent No.1

: Mr.M.Habeeb Rahman
State Government Pleader
for respondents 2 to 7

: No appearance
for respondents 8 and 9

ORDER

(Order of the Court was made
by the Hon'ble Chief Justice)

On 24th September, 2024, the matter was adjourned by a week for serving respondent Nos.8 and 9.

2. Mr.N.Somasundaar, learned counsel for petitioner, tenders an affidavit of service, affirmed on 30th September, 2024, confirming service on respondent Nos.8 and 9. From the tracking sheet enclosed to the affidavit, it appears that respondent Nos.8 and 9 have been served on 24th



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September, 2024. Respondent Nos.8 and 9 have not entered appearance.

3. There is also an undertaking being filed by the petitioner bank, through one Mr.Ravi Nayak Korra, affirmed on 20th September, 2024 seeking three months' time for shifting petitioner's strong room, vault and other safety lockers. Learned counsel for petitioner also states that petitioner undertakes to move within three months as stated in the affidavit and further undertakes not to seek any further extension.

4. In view of these undertakings given, Mr.P.Srinivas, learned counsel for respondent No.1 and Mr.M.Habeeb Rahman, learned Government Advocate for respondent Nos.2 to 7 state that the Court may, if deem appropriate, grant three months time.

5. Accordingly, we grant three months' time for petitioner to shift its strong room. Three months' time will begin with effect from 20th September, 2024.



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6. This order shall not affect the rights and contentions of respondent Nos.8 and 9.

7. The writ petition is disposed of. There shall be no order as to costs. Consequently, W.M.P.No.29467 of 2024 is closed.

(K.R.SHRIRAM, CJ)

(D.KRISHNAKUMAR,J.)

01.10.2024

Index : Yes/No
NC : Yes/No
bbr

To:

- 1.The Commissioner,
Arni Municipality,
Arni Town, Arni,
Thiruvannamalai District.
- 2.The District Collector,
Thiruvannamalai District,
Thiruvannamalai.
- 3.The District Revenue Officer,
Arni Town, Thiruvannamalai District.
- 4.The Revenue Divisional Officer,
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- 5.The Tasildhar,
Taluk Office, Arni Town,
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