



W.P.No.34685 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.06.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.S. SUNDAR

AND

THE HONOURABLE MR. JUSTICE N. SENTHILKUMAR

W.P.No.34685 of 2019

S.Perumal Achari (deceased)
2.Perumakkal
3.Varadharajan
4.Muthuperumal
5.Parvathy

... Petitioners

*[P2 to P5 substituted as LRs of deceased sole
petitioner vide order dated 23.06.2023 made in
W.M.P.No.12360 of 2022 in W.P.No.34685 of 2019]*

Vs.

1.The Member Secretary,
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Buildings,
Gandhi Irwin Road,
Egmore, Chennai – 600 008.

2.The Commissioner,
Greater Chennai Corporation,
Rippon Buildings, Park Town,
Chennai – 600 003.



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3. The Zonal Commissioner,
The Greater Chennai Corporation,
Zone-14, Ullagaram,
Puzhithivakkam,
Chennai – 600 091.
4. The District Collector,
Chennai District,
George Town,
Chennai – 600 001.
5. The Tahsildar,
Solinganallur Taluk,
Solinganallur,
Chennai – 600 119.
6. R. Malathi
7. P. Nalini
8. The Chairman/Managing Director/Correspondent,
Chennai's Amirtha International Institute of
Hotel Management,
No.15/25, CIT Nagar,
Nandhanam,
Chennai – 600 035.
9. The Warden,
Boys Hostel,
Chennai's Amirtha International Institute of
Hotel Management,
No.2, 2-A, Kamarajar Street,
Dr. Rama Murthy Nagar,
Madipakkam,
Chennai – 600 091.



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10. The Tahsildar,
Sholinganallur Taluk,
Sholinganallur,
Chennai.

... Respondents

*[R10 suo motu impleaded as per order dated
01.11.2023 in W.P.No.34685 of 2019]*

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to demolish the entire illegal structures and remove the unauthorised construction by the 1st and 2nd respondents in view of the representation issued by the petitioner dated 15.05.2018 and 06.04.2019 within a time frame as may be stipulated by this Court.

For Petitioner	:	Mr.J.D.Srikanth Varma
For R1	:	Mr.R.Thamaraiselvan Standing Counsels
For R2 and R3	:	Mr.D.B.R.Prabhu Standing Counsel
For R4, R5 & R10	:	Mr.R.Vigneswaran Government Advocate
For R6 & R7	:	Mr.A.Saravanan
For R8	:	No appearance
R9	:	Not ready in notice



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ORDER

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

The petitioner has filed the above writ petition for issuance of a Writ of Mandamus to demolish the entire illegal structures and remove the unauthorised construction by the 1st and 2nd respondents in view of the representations of the petitioner.

2.It is now admitted that the official respondents in this writ petition have already taken action by issuing Lock and Seal Notice dated 22.01.2020 and a further De-Occupation Notice dated 04.01.2020. Pursuant to the Lock and Seal Notice and the De-Occupation Notice, further proceedings have been initiated vide communication dated 28.07.2023 against the private respondents to vacate the premises. The further communication dated 28.07.2023 is challenged before this Court in another writ petition in W.P.No.22764 of 2023. Since the petitioner's representation which is the subject matter of this writ petition has been considered and orders have been passed, this Court finds that this writ petition is not necessary. It is also



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brought to our notice that the point raised by the petitioner therein is that regularisation application stated to have been submitted by the petitioner in W.P.No.22764 of 2023 is pending and that the final order on the regularisation application is not yet passed in view of the pendency of the matter before the Hon'ble Supreme Court.

3.In such circumstances, the above writ petition is dismissed recording the facts. Since the petitioners have already been impleaded as respondents in W.P.No.22764 of 2023, this writ petition is dismissed with a liberty preserved to the petitioners to raise all their objections in the connected writ petition in W.P.No.22764 of 2023. No costs. Consequently, connected miscellaneous petitions are closed.

(S.S.S.R., J.) (N.S., J.)
06.06.2024

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Internet : Yes

Index : Yes / No

Neutral Citation : Yes / No



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