

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-06-2015

CORAM:

THE HONOURABLE MR. JUSTICE SATISH K. AGNIHOTRI
AND
THE HONOURABLE MR. JUSTICE M. VENUGOPAL

W.P. No.13842 of 2015

T.K. Ravi Kumar

... Petitioner

Vs.

1. The Commissioner of Corporation,
Corporation of Chennai,
Rippon Building, Chennai.
2. The Executive Engineer
Zone 14 Division 185, Chennai Corporation,
No.6/64 Puzhuthivakkam Main Road,
Near Kumaran Theatre, chennai-91.
3. The Assistant Engineer
Corporation of Chennai, Division 185/ Zone 14,
Palavakkam, Chennai-41
4. K.Murugan

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the respondents 1 to 3 to take all further action pursuant to their Notice No.Nil dated 19.2.2015 contemplated under Section 56 and 57 read with Section 85 of the Tamil Nadu Town and Country Planning Act 1971 (as amended by Act 61 of 2008) issued against the 4th respondent being an unauthorized construction in Survey No.2A1A2 bearing the Door No.3/335 DIG Salai, Off. Ko.Si.Mani Salai, Jayashankar Nagar, Palavakkam, Chennai-41 and deal with the same in accordance with law within the stipulated period.

For petitioner : Mr. N. S. Sivakumar

For respondents : Mrs. Karthikaa Ashok
RR1 to RR3

ORDER

(Order of the Court is made by SATISH K. AGNIHOTRI, J.)

With the consent of the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents, this writ petition is taken up for final disposal.

2. The petitioner is stated to be a resident of the locality wherein unauthorised construction has been made allegedly by the fourth respondent. Thus, the writ petitioner has come up with this writ petition seeking a direction to the respondents 1 to 3 to take further action pursuant to their notice dated 19.02.2015.

3. Pursuant to the notice of this Court dated 30.04.2015, the respondents 1 to 3 have filed counter affidavit stating therein that locking, sealing and demolition notice had been pasted on 13.04.2015 on the front door of the premises of the fourth respondent at Door No.3/335, DIG Salai, Jayashankar Nagar, Palawakkam, Chennai. Consequent thereupon, the fourth respondent had requested for some time to put forward his case, on 28.04.2015. Accordingly, acceding to his request, two weeks' time has been granted.

4. In view of the aforestated statement of the respondents 1 to 3, no further direction is necessary at this stage. However, we expect that the respondents shall take necessary action in accordance with law and on merits, after affording an opportunity of hearing to the parties concerned. Such exercise shall be completed within a period of four weeks from today. This writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(AD I)

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Sub Assistant Registrar

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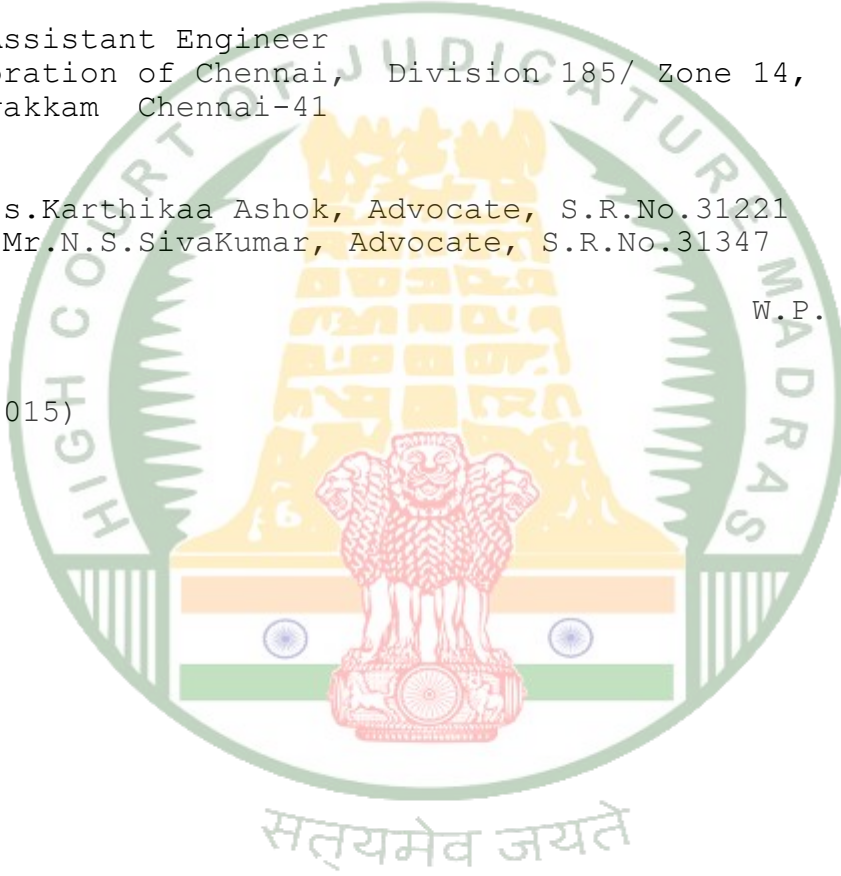
To

1. The Commissioner of Corporation,
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3. The Assistant Engineer
Corporation of Chennai, Division 185/ Zone 14,
Palavakkam Chennai-41

+1cc to M/s.Karthikaa Ashok, Advocate, S.R.No.31221
+2cc's to Mr.N.S.SivaKumar, Advocate, S.R.No.31347

W.P. No.13842 of 2015

BR (CO)
CA (08/07/2015)



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