

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.07.2015

CORAM:

THE HON'BLE MR.JUSTICE SATISH K. AGNIHOTRI
AND
THE HON'BLE MR.JUSTICE M.VENUGOPAL

W.P. No. 20961 of 2015

Mr. K. Seshadri Petitioner

vs.

1. The Assistant Engineer,
Division No. 178,
Corporation of Chennai,
Velachery,
Chennai 600 042.

2. The Vigilance Officer,
Vigilance Cell,
Corporation of Chennai,
Rippon Building,
Chennai 600 003.

3. The Principal Secretary/ Commissioner,
Corporation of Chennai,
Rippon Building,
Chennai 600 003.

4. Member Secretary, CMDA,
No.1 Gandhi Irwin Road,
Egmore, Chennai 600 008.

5. Mrs. Babitha Jain Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the 1st respondent herein to take strict action and prevent any unauthorized construction by properly considering the representation sent by the petitioners herein on 28.6.2015 and also remove the unauthorized construction put up by the 5th respondent in the common area without any Planning Permission, by taking appropriate action under The Tamil Nadu Town and Country Planning Act, 1971.

For petitioner : Mr. B. Arvind Srevatsa

For respondents : Mr. R. Arunmozhi - R1 to R3
Mr. C. Johnson - R4

ORDER

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

With the consent of both parties, this writ petition is taken up for final disposal.

2. The petitioner, stated to be a neighbour of the area in question, has made representations dated 28.05.2015 and 28.06.2015 complaining that the fifth respondent has put up an unauthorised construction. According to the petitioner, despite representations, no action has been taken by the authority.

3. On a perusal of the representations, it is seen that the representations do not contain the complete details as required for initiating any action.

4. Be that as it may, the petitioner is granted liberty to make a fresh representation giving complete details of the area in question and also the nature of illegal construction or encroachment made by the fifth respondent. In the event of such representation is made by the petitioner, the concerned authority/ third respondent is directed to examine the same and take necessary action at the earliest, on its own merits and in accordance with law.

5. With the above direction, this writ petition is disposed of. Consequently, connected miscellaneous petitions are closed. No costs.

Sd/-
Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

ra

To

1. The Assistant Engineer,
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4. Member Secretary, CMDA,
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Egmore, Chennai 600 008.

+1 cc to M/s.C.Jagadish, Advocate, sr.35645

+1 cc to Mr.C.Johnson, Advocate, sr.35524

+1 cc to M/s.R.Arunmozhi, Advocate, sr.35538.

W.P. No.20961 of 2015

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