

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 13-02-2015

CORAM:

THE HONOURABLE MR. JUSTICE SATISH K. AGNIHOTRI
AND

THE HONOURABLE MR. JUSTICE M. VENUGOPAL

W.P. No. 2779 of 2015 and M.P. No.1 of 2015

G.Vaidhyalingam

Petitioner

Vs.

- 1 The Commissioner
Corporation of Chennai, Rippon Buildings,
Chennai 600 003
 - 2 The Member Secretary
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Buildings, Egmore,
Chennai 600 008
 - 3 T.S.Ganesan
Plot No.16 Thanikachalam Street,
Devaraj Nagar, Saligramam,
Chennai 600 093
 - 4 Subha Ram
Plot No.21 Thanikachalam Street,
Devaraj Nagar, Saligramam,
Chennai 600 093.
- Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus to direct the respondents 1 and 2 to consider the petitioner's representation dated 18.8.2014 and consequently, direct the respondents 1 and 2 to take appropriate action against the Respondents 3 and 4 pertaining to the violation of Planning Permission regarding buildings under construction of Plot Nos.16 and 21 Thanikachalam Street, Devaraj Nagar, Saligramam, Chennai 600 093 to ensure violation free buildings in Thanickachalam Street, Devaraj Nagar, Saligramam, Chennai 600 093.

For petitioner

Mr. R. Ramakrishnan

For respondents

Mr. G. Anantharangan for R1

ORDER

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

With the consent of the learned counsel for the petitioner and the learned Standing Counsel for the first respondent-Chennai Corporation, the writ petition is taken for final disposal at the admission stage itself.

2. The petitioner, who is said to be a resident of the adjacent area, made a representation to the authorities on 18.8.2014, pointing out the illegal construction carried out by the respondents 3 and 4 without proper approval and permission. No steps have been taken thereafter. He was made to make representation to the Chief Minister's Cell on 11.9.2014. Subsequent thereto, the second respondent sent a communication to the first respondent/the Commissioner, Corporation of Chennai, on 17.11.2014. Despite the aforesaid steps, no substantive action has been taken by the Corporation - first respondent. The respondents 3 and 4 are still continuing with the illegal construction.

3. Learned Standing Counsel for the Chennai Corporation submits that immediate action will be taken after inspection and survey of the area in question, if illegal construction is being carried out. Accordingly, we direct the first respondent to take action in accordance with law, after proper inspection and affording opportunity of hearing to the concerned persons. Such exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order.

4. With the above direction, this writ petition stands disposed of. Connected Miscellaneous Petition is closed. No costs.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

ra

To

1 The Commissioner
Corporation of Chennai, Rippon Buildings,
Chennai 600 003

2 The Member Secretary
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Buildings, Egmore,
Chennai 600 008

1 cc to Mr.G. Ananthrangan, Advocate, sr. 7831
1 cc to M/s. R. Ramakrishnan, Advocate, sr. 7813

W.P. No.2779 of 2015

AD (CO)
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