

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.09.2015

CORAM:

THE HON'BLE MR. JUSTICE SATISH K. AGNIHOTRI
and
THE HON'BLE MR. JUSTICE K.K.SASIDHARAN

W.P. No.29521 of 2015

and

M.P. Nos.1 & 2 of 2015

M. Ramu

... Petitioner

Vs.

1. The Tahsildar,
Ambattur Taluk, Ambattur,
Chennai-53.
2. The Planning Authority
Rep. by Executive Engineer ,
Chennai Corporation, Zone VIII,
Division 91 TVK Park, Chennai-29.
3. D.Lokesh

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents 1 and 2 to initiate proper and appropriate action to remove all such offending constructions made and continue to be made by the 3rd respondent over the immovable property situate at 10, Kalaivanar Colony, Medimix Avenue, Anna Nagar West Extension, Chennai-101 and withdraw the sanction permit granted to the 3rd respondent for construction of house site and initiate appropriate action against the 3rd respondent in the manner known to law.

For petitioner : Mr. T.S. Rajamohan

ORDER

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

The petitioner, who is stated to be the owner of the adjacent property, has come up with this writ petition seeking a direction to the respondents 1 and 2 to withdraw the sanction permit granted to the third respondent for construction of house and initiate appropriate action against the third respondent in the manner known to law.

2. The petitioner has inter alia contended that permission was granted to the third respondent for construction of house on misrepresentation of facts.

3. Be that as it may, once permission has been granted for construction of house, no direction to withdraw the same can be issued, unless the correctness of the said permission is challenged in the manner known to law.

4. Thus, the writ petition, which is bereft of any merit, stands dismissed. No costs. Connected miscellaneous petitions are dismissed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

1. The Tahsildar,
Ambattur Taluk, Ambattur,
Chennai-53.

2. Executive Engineer,
The Planning Authority
Chennai Corporation, Zone VIII,
Division 91 TVK Park, Chennai-29.

+1cc to the Government Pleader, S.R.No.51554

W.P. No.29521 of 2015

EV(CO)
CA(01/10/2015)