

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.12.2015

CORAM

THE HON'BLE Mr. JUSTICE SATISH K.AGNIHOTRI
and
THE HON'BLE Dr. JUSTICE P.DEVADASS

W.P.No.33880 of 2015
and
M.P.No.1 of 2015

P.Srinivasan ... Petitioner

Vs.

1.The Member Secretary,
Chennai Metropolitan
Development Authority,
Gandhi Irwin Road, Chennai - 8.

2.The Commissioner,
Poonamallee Municipality,
Poonamallee, Chennai - 56.

3.P.N.Vivekanandan ... Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing the respondents 1 and 2 to initiate action on the written complaint dated 18.09.2015 submitted by the petitioner to the second respondent and forbear the respondents 1 and 2 from allowing any illegal/unauthorised construction by the third respondent or any person claiming under him, in the property in Survey No.741/1, Poonamallee Village, Poonamallee Taluk, Thiruvallur District.

For Petitioner .. Mr.S.Thankasivan

For Respondents... Mr.P.Srinivas for R1
Mr.K.Raja Srinivas for R2
R3 - Not ready in notice

ORDER

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

With the consent of the learned counsel for the petitioner, learned Standing Counsel appearing for the first respondent and the learned Standing Counsel appearing for the second

respondent, the writ petition is taken up for final disposal. On 20 October 2015, notice was ordered to the third respondent. Yet, it has not been served on him. Since no adverse order is passed against him, this writ petition is taken up for final disposal without hearing him.

2.By the instant petition, the petitioner seeks a direction to the first and second respondents to take cognizance of the complaint dated 18 September 2015 made by him. According to the petitioner, he has brought to the notice of the authorities the illegal construction made by the third respondent. Despite the aforesaid complaint, the authorities have paid no heed and the illegal construction is continuing relentlessly.

3.Learned Standing Counsel appearing for the second respondent submits that on the basis of the complaint, spot inspection of the premises in question will be conducted and if there is any illegal/unauthorised construction, the second respondent will take action for demolition of the unauthorised construction in accordance with law, within a period of four weeks, after notice to the alleged violator of law.

4.In view of the above submission of the learned Standing Counsel for the second respondent, it is ordered accordingly.

5.The writ petition shall stand disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

mmi

To

1.The Member Secretary,
Chennai Metropolitan Development Authority,
Gandhi Irwin Road, Chennai - 8.

2.The Commissioner,
Poonamallee Municipality,
Poonamallee, Chennai - 56.

+1cc to Mr.S. Thankasivan, Advocate, S.R.No.66682

+1cc to Mr.P. Srinivas, Advocate, S.R.No.66655

+1cc to Mr.K. Raja Shrinivas, Advocate SR.66794

PA(CO)

EU(21/12/2015)

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