

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.06.2015

CORAM:

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

W.P. No. 8030 of 2015

P.S. Maran

Petitioner

vs.

1 The Member Secretary,
CMDA,
No.8, Gandhi Irwin Road,
Egmore, Chennai.8.

2. The Commissioner,
Corporation of Chennai,
Rippon Building,
Chennai 600 003.

3. Ashok Kumar

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the second respondent to initiate appropriate legal action in respect of the illegal construction carried by the third respondent in the property bearing AJ-107, AJ-Block, Second Street, Anna Nagar, Chennai 600 040.

For petitioner : Mr. L. Dhamodaran

For respondents : Mr. K. Raja Srinivas - R1

Mr. G. Anantharangan - R2

Mr. M. Dhandapani - R3

ORDER

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

The relief sought in this writ petition is a direction to the second respondent to initiate appropriate legal action against the third respondent in respect of the alleged illegal construction on the property bearing AJ-107, AJ-Block, Second Street, Anna Nagar, Chennai 600 040.

2. The learned counsel appearing for the first respondent as well as the second respondent submitted that action will be initiated forthwith against all the parties, who have made illegal construction without prior approval or permission from the respondents/authorities.

3. It is submitted by the learned counsel appearing for the third respondent that the petitioner has also made illegal construction without proper approval and permission and therefore, action may be taken against him also.

4. Be that as it may, since the respondents 1 and 2 have expressed their intention to initiate action forthwith against the illegal construction, we are not inclined to take up and consider the matter on merits, at this stage. However, we deem it fit and proper to give appropriate direction to the respondents 1 and 2. Accordingly, the respondents 1 and 2 are directed to initiate action against the illegal construction, if any, by either party, without prior approval and permission as required under the provisions of law. Such exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order. Needless to state that before taking any action against the persons concerned, they are entitled to proper opportunity of hearing to put forward their case.

5. With the above direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ra

To

1 The Member Secretary,
CMDA,
No.8, Gandhi Irwin Road,
Egmore, Chennai.8.

WEB COPY

2. The Commissioner,
Corporation of Chennai,
Rippon Building,
Chennai 600 003.

1 cc to Mr. G. Anantharangan - ,Advocate, SR.No.26571
1 cc to Mr. L. Dhamodaran,Advocate, SR.No.26640
1 cc to Mr.K. Raja Srinivas ,Advocate, SR.No.26752
1 cc to Mr.A.Damodaran ,Advocate, SR.No.26653

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SV (CO)
PMK.3.6.2015



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