

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.11.2016

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P.No.15979 of 2011

and

M.P.No.1 of 2011

N.Prabakaran

.. Petitioner

-vs-

1.Corporation of Chennai,
Zone - VIII,
Kodambakkam, Chennai-600 026,
rep. by its Executive Engineer.

2.K.P.Sentha

3.K.P.Daya

4.K.P.Eevara

5.K.P.Gandhi

6.M.Vijayakumar

.. Respondents

(Respondent Nos.2 to 6 impleaded as per
order in M.P.No.2 of 2011 dt. 21.11.2016)

Writ Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorari calling for the records relating to letter No.Z08/116/2010 dated 01.06.2011 of the respondent addressed to the petitioner and quash the same.

For Petitioner

: Mr.V.Bhiman

for M/s.Sampathkumar & Asso.

For Respondents

: Mr.R.Arunmozhi for R1

Mr.Joseph Augustin for R3 & R5

ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

The petitioner as a builder seeks to get away from the consequence of his conduct in making unauthorised construction and seeks to put the matter at the door of the owners.

2. We are not inclined to accept this request. As builder,

if any unauthorised construction is made, he must face the consequence of his misadventure. Needless to say that the current owners would also be required to participate in the proceedings, which the respondent authority may take care of.

3. The writ petition is dismissed. No costs. Consequently, M.P.No.1 of 2011 is also dismissed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

bbr

To
The Executive Engineer,
Corporation of Chennai,
Zone - VIII,
Kodambakkam, Chennai-600 026.

+1cc to Mr.R. Arunmozhi, Advocate, S.R.No.67578
+1cc to Mr.Sampathkumar, Advocate, S.R.No.67756

kgk (CO)
md(20/12/2016)

W.P.No.15979 of 2011

सत्यमेव जयते

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