

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.6.2016

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

W.P.No.19664 of 2016
and
W.M.P.Nos.17017 & 17018 of 2016

1 N.Ramasamy
2 R.Thavamani
3 R.Sathish Kumar
Rep. by Power Agent N.Ramasamy the
1st petitioner herein ...Petitioners

-Versus-

1 The Commissioner
Greater Corporation of Chennai
Ribbon Buildings Chennai-600 003.
2 The Regional Deputy Commissioner
South Office Enforcement Cell
Adyar Chennai-600 020.
3 The Executive Engineer
T.P(Enforcement) (South)
Greater Corporation of Chennai
Adyar Chennai-600 020.
4 The Assistant Executive Engineer
Unit 40 Greater Chennai Corporation
Adyar Chennai-600 020.
5 The Assistant Engineer
Division-175
Unit 40 Greater Chennai Corporation
Adyar Chennai-600 020. ...Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorarified mandamus to call for the entire records of respondents 2 to 5 in their proceedings notice No.0684/2016 dated 27.04.2016 served on 04.06.2016 and quash the same and consequently direct the respondents to issue No Objection or Completion Certificate.

For Petitioners : Ms.P.Bagyalakshmi

For Respondents : Mr.V.C.Selvasekaran

ORDER

(Order of the court was made by HULUVADI G.RAMESH, J.)

Heard the learned counsel appearing for the parties.

2. The writ petition has been filed seeking issuance of a writ of certiorarified mandamus to call for the entire records of respondents 2 to 5 in their proceedings notice No.0684/2016 dated 27.04.2016 served on 04.06.2016 and quash the same and consequently direct the respondents to issue No Objection or Completion Certificate.

3. The grievance of the petitioners is they purchased the property bearing No.23/13, Block No.9, Plot No.14, Kasthuribai Nagar 4th Main Road, Adyar, Chennai and after obtaining orders from the authorities concerned for demolition of the existing building and approved plan for putting up a new construction, they have proceeded to put up a new construction, but, however, they have been served with the impugned notice to stop the construction work and hence, they are before this court.

4. It appears that pursuant to the notice issued by the Corporation, a reply is shown to have been sent by the petitioners contending that only after obtaining approved plan in the year 2013, they put up the construction and there is no deviation or violation. Therefore, it is for the Corporation to consider and pass necessary orders on the representation of the petitioner and till such time, no coercive steps shall be taken by the authorities. It is to maintain status quo till then. Further, it is open to the petitioner to prefer an appeal on the orders that would be passed by the Corporation within the time limit stipulated under the law. The writ petition is disposed of accordingly. No costs. The connected miscellaneous petitions are closed.

ssk.

Sd/-

Asst.Registrar

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Sub Asst. Registrar

To:

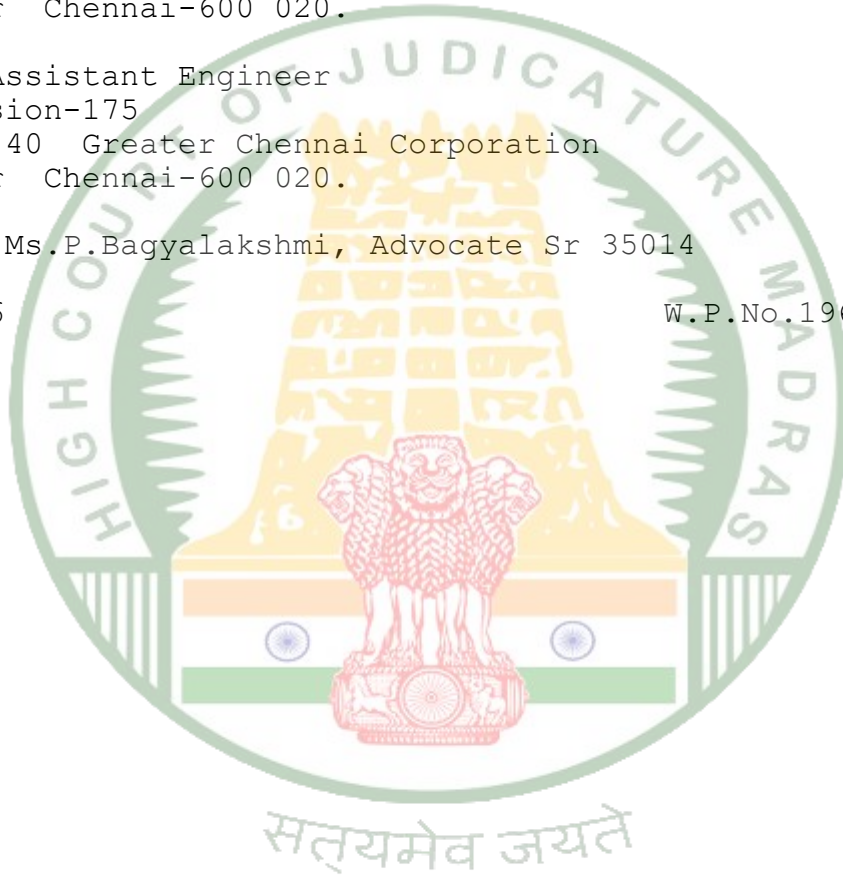
- 1 The Commissioner
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+ 1 cc to Ms.P.Bagyalakshmi, Advocate Sr 35014

KR/12/7/16

W.P.No.19664 of 2016



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