

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.11.2016

CORAM :

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

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P. No.30511 of 2015

N.Ramani ... Petitioner

-vs-

- 1.The Tamil Nadu Housing Board,
Nandanam, Chennai 600 035.
- 2.The Chennai Metropolitan Development
Authority, Thalamuthu-Natarajan Maaligai,
No.1, Gandhi Irwin Road, Egmore,
Chennai 600 008.
- 3.The Commissioner,
Corporation of Chennai, Ripon Buildings,
Chennai 600 003.
- 4.The Executive Engineer,
Corporation of Chennai,
Zone-VII (Ambattur),
C.T.H. High Road, Chennai 600 053.
- 5.The Mayuri Apartments Welfare Assn.,
Rep. by its Secretary.
Mogappair, Chennai 50

- 6.Kaila Kandappan
- 7.Dr.Reddy
- 8.Venkateswar Rao
- 9.Thyagarajan
- 10.Thirugnanam
- 11.R.Kamala
- 12.D.C.Subramaniam
- 13.K.Shyam Sundar
- 14.Krishnan
- 15.Naga Subramanian

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Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct respondents 2 to 4 to demolish the illegal and unauthorized construction, encroaching upon the common areas, put up at the residential apartments in Block Nos.81 and 83, Mayuri Apartments, Anna Nagar West Extension, Ambattur Industrial Estate Road, Mogappair, Chennai, comprised in Survey Nos.160 part, 162 part and 163 part and situated at Mogappair village.

For Petitioner : Mr.A.R.Sakthivel
For Respondents : Mr.V.Ananthamurthy for R-1
: Mr.N.Sampath for R-2
: Mr.R.Arunmozhi for RR 3 & 4
: Mr.M.Sriram for RR 6, 8 and 10
: Mr.S.Raveekumar for RR 11 to 15

O R D E R

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

The occupiers / owners of the neighbouring plots are battling over the issue of the additional construction made by respondents 6 to 15 as owners. The allegation was of no sanction having been obtained, but the documents on record show that sanction has been obtained and the extent of construction is stated to be less than the additional construction sanction obtained. The other aspect is that even sanctions were obtained in the year 2001 and the construction was completed in the year 2002 and the writ petition has been filed in the year 2015. Obviously, there is something more than what meets the eye in terms of the disputes inter se the parties and thus, in view of the aforesaid factual matrix, we are not inclined to entertain the petition.

2.Writ petition is, accordingly, dismissed. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

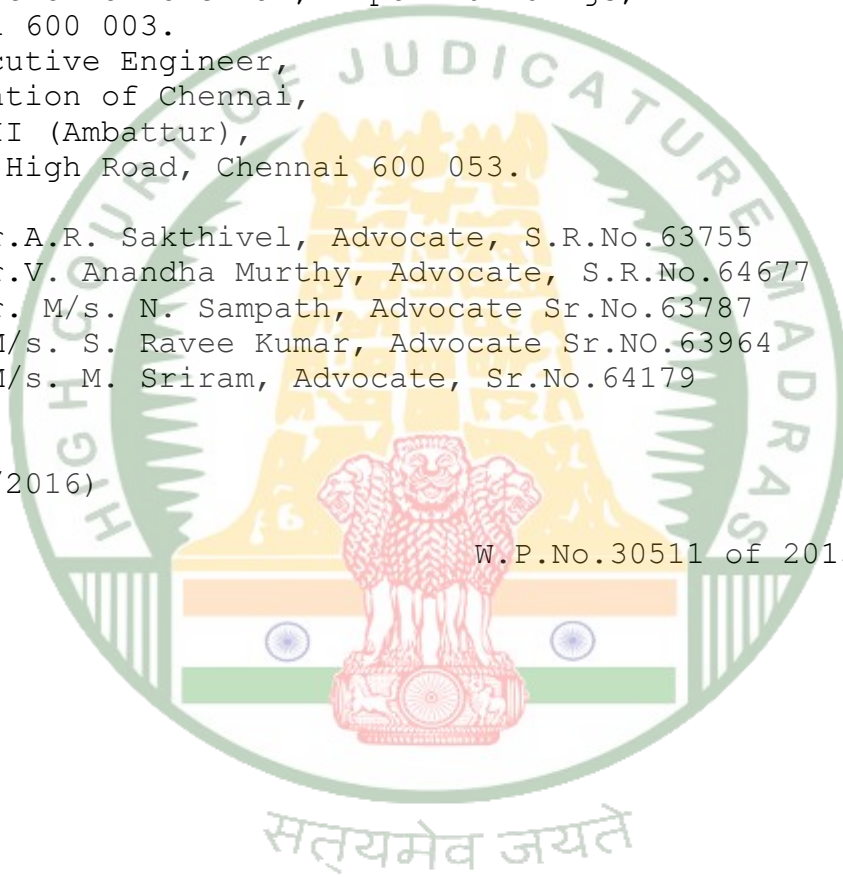
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+1cc to Mr.A.R. Sakthivel, Advocate, S.R.No.63755
+1cc to Mr.V. Anandha Murthy, Advocate, S.R.No.64677
+1cc to Mr. M/s. N. Sampath, Advocate Sr.No.63787
+2 CC to M/s. S. Ravee Kumar, Advocate Sr.NO.63964
+1 cc to M/s. M. Sriram, Advocate, Sr.No.64179

mv (CO)

md (17/11/2016)

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