

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.30613 of 2015

and

M.P.Nos.1 to 3 of 2015 and W.M.P.No.7338 of 2016

Chembarampakam Village Panchayat
Rep. by its President, D.Munian. ... Petitioner

-vs-

1.Chennai Metropolitan Development
Authority, rep. by its Member Secretary,
Egmore, Chennai 600 009.

2.The District Collector,
Thiruvallur District, Thiruvallur.

3.Commissioner,
Poonamallee Panchayat Union,
Poonamallee, Tiruvallur District.

4.Inspector of Police,
Nazareth Pettai Police Station,
Tiruvallur District.

5.V.Manikam

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the first and third respondents to demolish the unauthorised construction of the fifth respondent in Survey No.183/2B, 3, 4, 5, 6B & 183/7B in Chembarampakam Village in Poonamallee Panchayat Union in Thiruvallur District or in the alternative to direct the first, second and third respondents to provide security and assistance to the petitioner to demolish the unauthorised construction of the fifth respondent in the said property.

For Petitioner : Mr.A.Immanuel
M/s. V. Ayyadurai AAG Asst by
For Respondents : Mr.N.Sampath for R-1
: Mr.R.Vijayakumar, Addl.G.P.
For RR 2 and 4
: Mr.P.H.Aravind Pandian, Sr.Counsel
for Mr.C.V.Shailendiran for R-5
: No appearance for R-3

O R D E R

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

The ex-Panchayat President seems to be troubled by the construction of the building where sanction was accorded for 302 flats and on modification being sought, 316 flats were permitted, on the specious plea that the subsequent sanctions stated that the earlier sanction was cancelled.

2.The stand of the respondent authorities is that site inspection has been done and everything is in order.

3.It appears that the use of the words of cancellation of earlier sanction plan, which actually was only a modification of the earlier plan, seems to have triggered off the litigation by the petitioner. No ground is made out for intervention under Article 226 of the Constitution of India.

4.Writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions are also dismissed.

Sd/-

Assistant Registrar(CO)

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sra

To

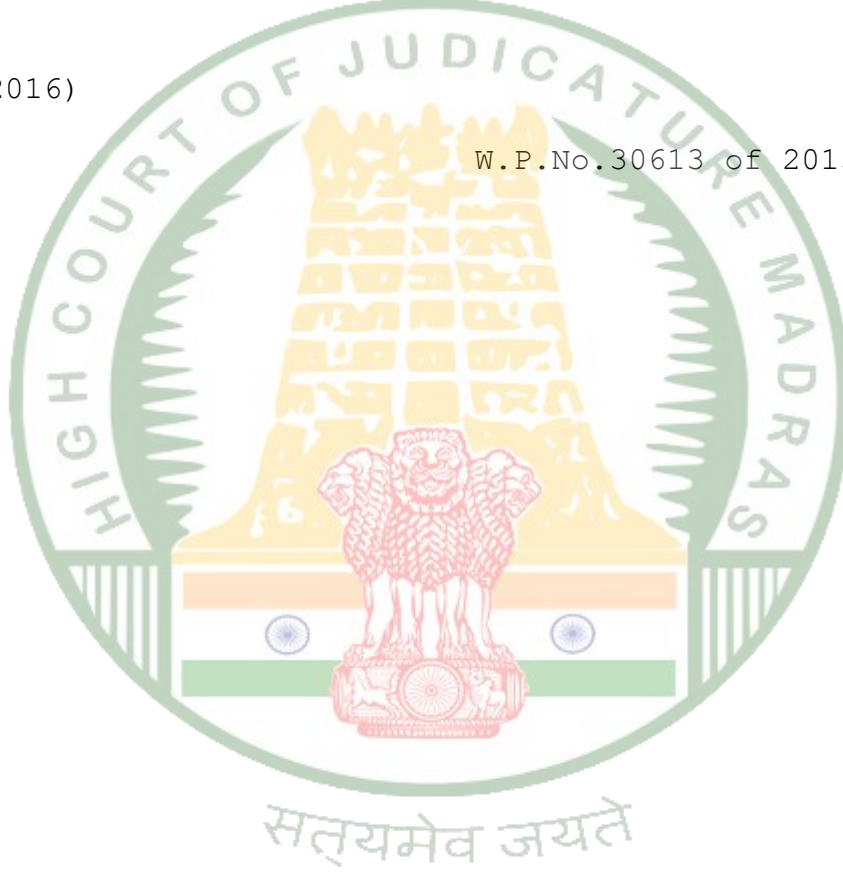
- 1.The Member Secretary,
Chennai Metropolitan Development
Authority, Egmore, Chennai 600 009.
- 2.The District Collector,
Thiruvallur District, Thiruvallur.

3. Commissioner,
Poonamallee Panchayat Union,
Poonamallee, Tiruvallur District.
4. Inspector of Police,
Nazareth Pettai Police Station,
Tiruvallur District.

+1cc to Mr.N. Sampath, Advocate, S.R.No.63790
+1cc to Mr.R. Ravichandran, Advocate, S.R.No.63861
+1cc to M/s. A. Immanuel, Advocate Sr.No.64076
+1cc to Mr. C.V. Sharilandharan, Advocate Sr.No.64280

sai(CO)
md(28/11/2016)

W.P.No.30613 of 2015



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