

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.11.2016

CORAM :

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

AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P. No.8389 of 2011

and M.P.No.1 of 2011

J.Balraman

... Petitioner

-vs-

- 1.The Commissioner,
Corporation of Chennai,
Ripon Buildings, Park Town,
Chennai 600 003.
- 2.The Member Secretary,
Chennai Metropolitan Development
Authority, Thalamuthu Natarajan
Maaligai, Egmore, Chennai 600 008.
- 3.The Chief Engineer,
The Chennai Metro Water Supply and
Water Sewerage Board, Chintadripet,
Chennai.
- 4.The Junior Engineer,
The Chennai Metro Water Supply and
Water Sewerage Board, Zone-III,
Vadivel Street, Chennai 600 011.
- 5.The Executive Engineer,
The Chennai Metro Water Supply and
Water Sewerage Board, Kuravan Kulam,
Choolai, Chennai 600 112.

6.The Asst. Engineer,
Chennai Corporation, Kuravan Kulam,
Choolai, Chennai 600 112.

7.The Asst. Engineer,
The Chennai Metro Water Supply and
Water Sewerage Board, Chintadripet,
Chennai.

8.E.A.Augustine

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct 1st to 7th respondents to remove the unlawful and unauthorized construction made in the V.V.Koil Lane, which is only 7 ft. by the 8th respondent herein, by inspecting the premises No.2, V.V.Koil Lane, Choolai, Chennai 600112, by strictly complying with the provisions of existing law in force with reference to the proceedings Letter No.EN2/1832/2011 dated 11.03.2011 issued by the 2nd respondent herein.

For Petitioner : Mr.A.M.Krishnamoorthy
For Respondents : Mr.A.Nagarajan for RR 1 & 6
: Mr.N.Sampath for R-2
: Mr.G.Janakiraman
for RR 3, 4, 5 and 7
: No appearance for R-8

O R D E R

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

The allegation of the petitioner is alleged unauthorized construction by the 8th respondent in premises bearing No.2, V.V.Koil Lane, Choolai, Chennai 600 112, with no action being taken in respect of proceedings dated 11.03.2011.

2.Learned counsel for the Corporation / first respondent states that lock and seal notice was issued, but then that is the story of February 2011. On being asked what is the current position, learned counsel has no instructions.

3.We have made it clear to the learned counsel for the Corporation that in view of the repeatedly instructions not forthcoming, we would have little option but to ask the Commissioner to be present for each of these matters to answer our queries unless instructions are forthcoming from the relevant officer of the Corporation to the counsel. This order

be brought to the notice of the Commissioner.

4.We direct the Corporation to proceed in accordance with law in respect of any alleged unauthorized construction in the property in question, after due verification and notice to all concerned within a maximum period of two (2) months of the receipt of this order.

5.Writ petition stands disposed of. No costs.
Consequently, M.P.No.1 of 2011 stands closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

sra

To

- 1.The Commissioner,
Corporation of Chennai,
Ripon Buildings, Park Town,
Chennai 600 003.
- 2.The Member Secretary,
Chennai Metropolitan Development
Authority, Thalamuthu Natarajan
Maaligai, Egmore, Chennai 600 008.
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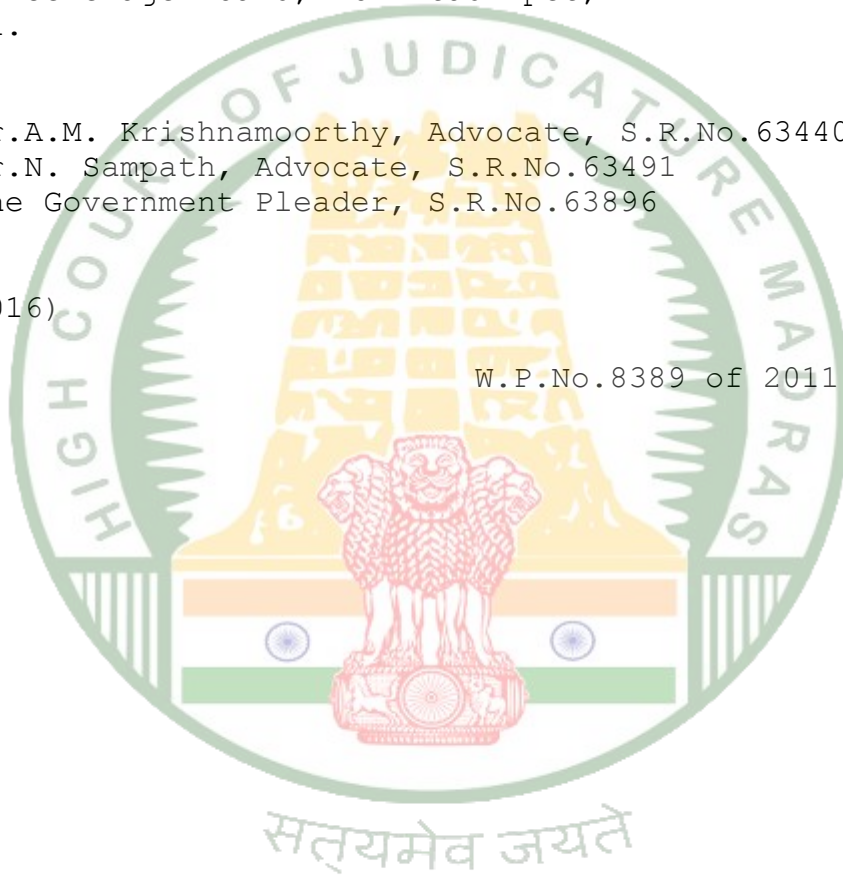
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7.The Asst. Engineer,
The Chennai Metro Water Supply and
Water Sewerage Board, Chintadripet,
Chennai.

+1cc to Mr.A.M. Krishnamoorthy, Advocate, S.R.No.63440
+1cc to Mr.N. Sampath, Advocate, S.R.No.63491
+1cc to the Government Pleader, S.R.No.63896

md(8/11/2016)

W.P.No.8389 of 2011



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