

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.01.2016

CORAM

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

AND

The Hon'ble MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.No.36410 of 2015

G.Govindaraj

.. Petitioner

Vs.

1.The Commissioner,
Corporation of Chennai,
Rippon Building, Chennai.

2.M/s.Rich India,
No.12, 1st street, Subramania Nagar,
Kodambakkam,
Chennai-600 024.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the first respondent to consider the petitioner's representation dated 21.07.2015 and consequently direct the first respondent to demolish the unauthorised construction put up by the second respondent at No.12, 1st street, Subramnia Nagar, Kodambakkam, Chennai-24.

For Petitioner : Mr.J.Vivekanandan

For Respondents : Mr.R.Arunmozhi for R1

Mr.L.Chandrakumar for R2

ORDER

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

The learned counsel for respondents have entered appearance.

2. It is most unfortunate to note that not only a commercial building has been built instead of a residential

building, there is extra coverage of more than 50% of each floor and the set backs have been reduced on the front side from 4.15 metres to 1.35 metres and in the rear side from 1.50 metres to 0.63 metres. Prima facie, it may not be possible to shrink the building to bring it within the parameters. It is only in pursuance to the notice issued by this Court now that the first respondent authorities have woken up to issue notice dated 31.12.2015 for locking, sealing and demolishing the building, which would take its own course.

3. We would require the first respondent to look into the matter departmentally, as such violations are not possible without the active collusion of the concerned officers. Responsibility should be fixed and departmental action be taken with adequate punishment for permitting such blatant violations.

4. Further status report both in respect of the action taken against the offending construction as well as against the officers concerned be filed in Court. The aforesaid matter be taken to a logical conclusion.

5. The writ petition, stands disposed of with the aforesaid directions.

6. List for compliance on 18.03.2016.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

bbr
To

1 The Commissioner,
Corporation of Chennai, सत्यमेव जयते
Rippon Building, Chennai.

2 The Section Officer,
Writ section, High court,
Madras, ch-104.

+1 CC to M/s.K.Seetharam, Advocate SR.No.3234/16

+1 CC to M/s.R.Arunmozhi, Advocate SR.No.2838/16

+1 CC to M/s.L.Chandrakumar, Advocate SR.No.2837/16

W.P.No.36410 of 2015

SL 04.02.2016
AK(CO)



19.01.2016

सत्यमेव जयते

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