

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.06.2016

CORAM :

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

AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P. No.21806 of 2016

S.M.D.Livingstone ... Petitioner

-vs-

- 1.The Member Secretary,
Chennai Metropolitan Development
Authority, Gandhi-Irwin Road,
Egmore, Chennai 600 008.
- 2.The Commissioner,
Corporation of Chennai,
Ripon Buildings, Poonamallee Road,
Chennai 600 003.
- 3.The Presbyter-in-Charge,
Immanuel Church, 20, Tamilar Veedhi,
Pamnanabha Nagar, Choolaimedu,
Chennai 600 094. ... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the first and second respondents to consider the representation of the petitioner dated 16.03.2016 and stop the construction of the additional building in the premises of the Immanuel Church, No.20, Tamilar Veedhi, Padmanabha Nagar, Choolaimedu, Chennai 600 094.

For Petitioner : Mr.M.Ramamoorthi

For Respondents : Mr.C.Johnson for R-1
: Mr.K.Soundararajan for R-2

* * * * *

O R D E R

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

The grievance of the petitioner is that unauthorisedly additional construction is being made in the premises of the Immanuel Church situated in No.20, Tamilar Veedhi, Padmanabha Nagar, Choolaimedu, Chennai. To support the allegation, the petitioner has placed on record a letter issued by the C.M.D.A. dated 18.04.2016 to the effect that no planning permission has been issued by the C.M.D.A. for the said property. The Corporation is stated to be taking no action and thus, the allegation is of another illustration of the failure of the Corporation to take necessary action against unauthorised construction.

2.We call upon the Corporation / the second respondent to cause an inspection to be carried out within three (3) days of the premises and if no permission is available, any construction without permission must be stopped and thereafter, called to be removed.

3.The action be completed within a maximum period of two (2) months from today.

4.Writ petition, accordingly, stands disposed of. No costs. Consequently, W.M.P.No.18650 of 2016 stands closed.
sra

s/d-
Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

To

1.The Member Secretary,
Chennai Metropolitan Development
Authority, Gandhi-Irwin Road,
Egmore, Chennai 600 008.

2.The Commissioner,
Corporation of Chennai,
Ripon Buildings, Poonamallee Road,
Chennai 600 003.

+ 1 cc to the Govt.Pleader SR 35370
+ 1 cc to M/s.M.Rmamoorthi, Advocate SR 8376
+ 1 cc to M/s.K.Soundarajan, Advocate SR 35334
+ 1 cc to M/s.C.Johnson, Advocate SR 35504
ppa(co)
prk24/6

W.P.No.21806 of 2016