

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.07.2016

CORAM :

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

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P. No.25055 of 2016

M.Selvam

... Petitioner

-Vs-

1. The Principal Secretary,
Housing & Urban Development Dept.,
Planning, Govt. of Tamilnadu,
Fort St. George, Chennai 600 009.
2. The Member Secretary,
Chennai Metropolitan Development
Authority, No.1, Gandhi Irwin Road,
Egmore, Chennai 600 008.
3. The Commissioner,
Corporation of Chennai,
Chennai 600 003.
4. The Director,
Directorate of Town and Country
Planning, No.807, Anna Salai,
Chennai 600 002.
5. The Regional Deputy Commissioner,
Town Planning Department,
Regional Deputy Commission (North)
Office, 62, Basin Bridge Road,
Old Washermenpet, Chennai 600 021.
6. The Executive Engineer,
Enforcement Department,
North Zone Office, Zone-5,
No.81, Basin Bridge Road,
Chennai 600 021.

7. Akash Jain

8. Prakash Mutha

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus, to direct respondents 1 to 6 to initiate and take action against the unlawful construction of the 7th and 8th respondents on Old No.40, New No.88, Anna Pillai Street, Sowcarpet, Chennai 600 079, Ward-54, Zone-5 under the provisions of the Tamil Nadu Town and Country Planning Act, 1971, under Rule 56 and 57 (2A) and CMDA regulations and any other law in force.

For Petitioner : Mr.J.Paulraj

For Respondents : Mr.S.T.S.Murthi,
Government Pleader, assisted by
Mr.V.Shanmugasundar,
Government Advocate for R-1

: Mr.Rajasrinivas for RR 2, 4 & 5

: Mr.K.Soundararajan for RR 3 & 6

O R D E R

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

The grievance of the petitioner is against the alleged unauthorised construction made by respondents 7 and 8 at Old No.40, New No.88, Anna Pillai Street, Sowcarpet, Chennai.

2.Learned counsel appearing for the CMDA states that systematically action is being taken in the area of Sowcarpet in pursuance to the directions of this Court in W.P.No.16555 of 2014. He submits that the property in question will also receive attention and the allegation about unauthorised construction will be verified and action will be taken in accordance with law.

3.The complaint regarding the building is stated to have been forwarded to the Corporation already. The necessary action as required in law, after notice to all concerned, should be completed within the maximum period of three (3) months from today, especially as it is the own case of the CMDA as per letter dated 22.03.2016 that no planning permission at all has been given for the property in question.

4.Writ petition is, accordingly, disposed of. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

sra

To

1. The Principal Secretary,
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Planning, Govt. of Tamilnadu,
Fort St. George, Chennai 600 009.
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Chennai Metropolitan Development
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Chennai 600 021.

+3cc's to Mr.J.Paul Raj, Advocate, S.R.No.41833
+1cc to Mr.K.Soundararajan, Advocate, S.R.No.41432
+1cc to the Government Pleader, S.R.No.41103

W.P.No.25055 of 2016

MP I(CO)
CA(01/08/2016)