

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.17942 of 2010
and M.P.No.1 of 2010

M/s.Swagath Owners Association,
Rep. By its Secretary, Vinod Bethi. .. Petitioner

-vs-

- 1.The Commissioner,
Corporation of Chennai,
E.V.R. Slaai, Park Town,
Chennai 600 003.
- 2.Executive Engineer,
Zone-V, Chennai Corporation,
Poonamallee High Road,
Chennai 600 010.
- 3.Asst. Executive Engineer,
Chennai Corporation,
Area-V, Ward-64, I Block,
Anna Nagar, Chennai 600 040.
- 4.Chennai Metropolitan Water Supply
and Sewerage Board, Rep. By its
Managing Director, No.1, Pumping
Station Road, Chennai 600 002.
- 5.Area Engineer - Zone V,
Ward-64, Chennai Metropolitan Water
Supply and Sewerage Board, Second
Avenue, Anna Nagar, Chennai 600 040.
- 6.Chennai Metropolitan Development
Authority, Rep. By its Member Secretary,
No.1, Gandhi Irwin Road,
Egmore, Chennai 600 008.

7.M/s.Nandana Builders,
Rep. By C.N.Ramesh Reddy.

8.The Inspector of Police,
Villivakkam Police Station,
C.T.H. Road, Villivakkam,
Chennai 600 049.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the 1st Respondent to initiate appropriate legal action to prevent the 7th Respondent from trespassing and putting up any construction unauthorized and illegally to demolish the unauthorized 2nd Floor construction at the premises viz. all the piece and parcel of the land Door No.36 Plot No.7A and 7B Thirumangalam Road Villivakkam Chennai-49 in Survey No.204/2A 204/2C Villivakkam Village Perambur Purasai Taluk Chennai District admeasuring 1950 square feet bounded on the North by Lane East by Thirumangalam Road South by Mrs.Thangammal property and West by Mrs.Meenakshi Munirathnam property situated within the registration district of Chennai Central and Registration Sub District of Villivakkam.

For Petitioner : Mr.K.Sumathi

For Respondents : Mr.C.Ravichandran, for RR 1 to 5
: Mr.N.Sampath for R-6
: Mr.R.Vijayakumar, Addl.G.P./R-8

O R D E R

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

The allegation is of unauthorised construction by the seventh respondent on the second floor at the premises bearing Door No.36, Plot No.7A and 7B, Thirumangalam Road, Villivakkam, Chennai-49 in Survey No.204/2A, 204/2C, Villivakkam Village, Perambur Purasai Taluk, Chennai District, without sanction plan.

2.The second respondent to cause an inspection of the site in question and if unauthorized construction is found, to take action in accordance with law, after notice to all concerned, including the petitioner and the subsequent purchaser. The inspection be carried out within fifteen (15) days of the receipt of this order and a decision be taken within two (2) months thereafter.

3.Writ petition, accordingly, stands disposed of. No costs.
Consequently, M.P.No.1 of 2010 stands closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

sra
To

- 1.The Commissioner, Corporation of Chennai,
E.V.R. Slaai, Park Town, Chennai 600 003.
- 2.The Executive Engineer,
Zone-V, Chennai Corporation, Poonamallee
High Road, Chennai 600 010.
- 3.The Asst. Executive Engineer,
Chennai Corporation, Area-V, Ward-64,
I Block, Anna Nagar, Chennai 600 040.
- 4.The Managing Director , Chennai Metropolitan
Water Supply and Sewerage Board,
No.1, Pumping Station Road, Chennai 600 002.
- 5.The Area Engineer - Zone V,
Ward-64, Chennai Metropolitan Water
Supply and Sewerage Board, Second
Avenue, Anna Nagar, Chennai 600 040.
- 6.Chennai Metropolitan Development
Authority, The Member Secretary,
No.1, Gandhi Irwin Road,
Egmore, Chennai 600 008.
- 7.The Inspector of Police,
Villivakkam Police Station,
C.T.H. Road, Villivakkam,
Chennai 600 049.

+2cc to Mr.K. Sumathi, Advocate, S.R.No.63390
+1cc to Dr. C. Ravichandran, Advocate, S.R.No.63436
+1cc to Mr. N. Sampath, Advocate Sr.No.63492
+1cc to the Government Pleader, S.R.No.63897

nmi (CO)
md(18/11/2016)

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