

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.10.2016

CORAM

The HON'BLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The HON'BLE MR.JUSTICE R.MAHADEVAN

W.P.No.34205 of 2016

A.S.Lakshmi

.. Petitioner

Vs

1. The Commissioner
Corporation of Chennai
Rippon Buildings
Chennai-600 003.
 2. The Executive Engineer
Zone IX,
No.1, Lake Area IV Cross Street
Nungambakkam, Chennai-600 034
 3. The Member Secretary
Chennai Metropolitan Development Authority
No.1, Gandhi Irwin Road
Egmore Chennai-600 008.
 4. The Chief Engineer (General)
Greater Chennai Corporation
Rippon Building, Park Town, Chennai.
- .. Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of Mandamus forbearing the respondents from taking any coercive steps in pursuance to the notice dated 22.08.2016 bearing No.Zone-IX DN-112/TPENF/002/2016 issued by the 2nd respondent pending consideration of the petitioner's application submitted to the 3rd respondent on 16.09.2016 under Section 56(3) r/w Section 49 of the Tamil Nadu Town and Country Planning Act and petitioner's application submitted to the 4th respondent on 16.09.2016 for change of building user under Rule No.7 of The Planning Authority (Levy of Development Charges) Rules, 1975 by the respondents.

For Petitioner : Mr.Vijay Narayan
Senior Counsel
for Mr.G.Guruprasath

For Respondents : Mr.V.C.Selvasekaran
for respondents 1, 2 and
4

Mr.K.Raja Srinivas
for 3rd respondent

ORDER

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

On hearing the learned counsel for parties, we accede to the request of the learned Senior Counsel for the petitioner, on instructions, to give one month time to vacate the property, as it is used as a hospital.

2. The property contains unauthorized constructions and unauthorized user and it is the case of the petitioner that they have applied on 16.9.2016 for change of user. Needless to say that only if permissions are granted and construction is brought within the authorized limit or compounded, would the occasion to use the property arise.

The petition is, accordingly, disposed of. No costs. Consequently, W.M.P.No.29511 of 2016 is closed.

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

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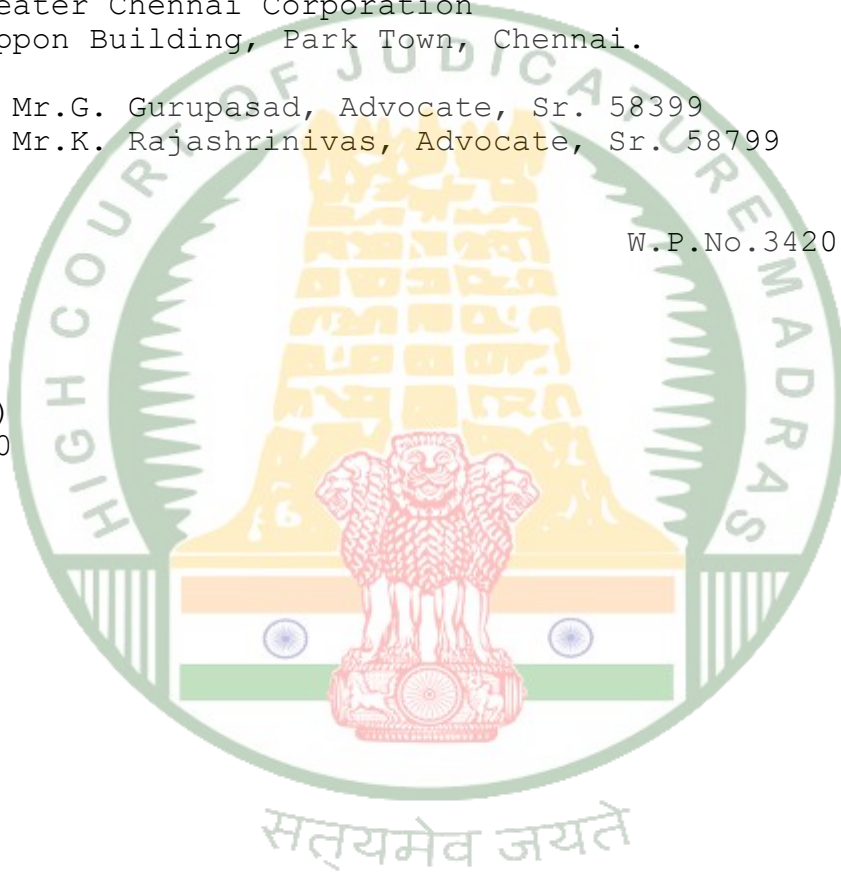
1. The Commissioner
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2. The Executive Engineer
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 4. The Chief Engineer (General)
Greater Chennai Corporation
Rippon Building, Park Town, Chennai.
- 1 cc to Mr.G. Gurupasad, Advocate, Sr. 58399
1 cc to Mr.K. Rajashrinivas, Advocate, Sr. 58799

W.P.No.34205 of 2016

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