

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.12.2016

CORAM :

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

AND

The Hon'ble MR.JUSTICE M.SUNDAR

W.P. No.40924 of 2016

A.Marimuthu ... Petitioner

-vs-

- 1.The Government of Tamil Nadu,
Rep. by its Secretary,
Housing and Urban Development,
Fort St. George, Chennai.
- 2.The Member Secretary,
Chennai Metro Development Authority,
Thalamuthu Natarajan Buliding,
Gandhi Irwin Road, Chennai.
- 3.The Commissioner,
Corporation of Chennai,
Ripon Building, Chennai-3.
- 4.Executive Engineer,
(Enforcement-Region Central),
No.1, Lake Area, 4th Cross Street,
Nungambakkam, Chennai.
- 5.The Assistant Executive Engineer,
Unit 26, No.1, Lake Area, 4th Cross Street,
Nungambakkam, Chennai.
- 6.The Junior Engineer,
Division 117, No.1, Lake Area,
4th Cross Street, Nungambakkam,
Chennai.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the 1st respondent to dispose of the review dated 10.11.2016, filed as against G.O. (3D) No.175, dated 19.10.2016.

For Petitioner : Mr.V.Raghavachari
For Respondents : Mr.T.N.Rajagopalan,
Spl.G.P. For R-1
: Mr.N.Sampath for R-2
: Mr.K.Soundarajan for RR 3 to 6

O R D E R

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

The petitioner must blame himself for the predicament he finds himself in having purchased a property which has both building violations and user violations. The re-inspection of the property directed by this Court at the request of the petitioner leaves no manner of doubt that there are considerable violations and not as was sought to be urged by the petitioner on the earlier occasion.

2.Learned counsel for the petitioner, faced with the aforesaid position, confines his relief to bringing the building in conformity with the sanction plan as well as the prescribed user subject to any regularisation which may be capable of being made.

3.In view of the aforesaid, the petitioner may appear with all relevant documents before the second respondent on 19.12.2016 when the issue to be examined would be whether any regularisation of the building is permissible or not and if anything is permissible on payment of regularisation charges, the needful can be done. A decision on the same be communicated within a period of fifteen (15) days from that date.

4.The petitioner will be granted three (3) months time from the date of communication of the order for full compliance. The building will be re-inspected after the expiry of the three (3) months period to verify full compliance, failing which the respondents can proceed to seal the building.

5.Writ petition stands disposed of in the aforesaid terms.
No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

(sra)

To

- 1.The Secretary to Govt. of Tamil Nadu,
Housing and Urban Development,
Fort St. George, Chennai.
- 2.The Member Secretary,
Chennai Metro Development Authority,
Thalamuthu Natarajan Buliding,
Gandhi Irwin Road, Chennai.
- 3.The Commissioner,
Corporation of Chennai,
Ripon Building, Chennai-3.
- 4.The Executive Engineer,
(Enforcement-Region Central), W.P.No.40924 of 2016
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Division 117, No.1, Lake Area,
4th Cross Street, Nungambakkam,
Chennai.

+lcc to Mr.N. Sampath, Advocate, S.R.No.72003
+lcc to Mr.K. Soundorarajan, Advocate, S.R.No.72113
+lcc to Mr. V. Raghavachari, Advocate Sr.No.71822
+lcc to the Government Pleader, S.R.No.71860

rsy(CO)
md(20/12/2016)

W.P.No.40924 of 2016

सत्यमेव जयते

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