

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.01.2016

CORAM:

THE HON'BLE MR. JUSTICE SATISH K. AGNIHOTRI
and
THE HON'BLE DR. JUSTICE P. DEVADASS

W.P. No.745 of 2016 and W.M.P. No.560 of 2016

Bhoomi and Buildings Pvt. Ltd.
represented by its Managing Director
No.6, Padmanabha Nagar II Street
Adyar, Chennai 600 020

Petitioner

vs.

- 1 The Corporation of Chennai
represented by its Commissioner
Ripon Buildings
EVR Salai, Chennai 600 003
- 2 The Regional Deputy Commissioner - South
Zone XIII, Corporation of Chennai
Dr. Muthulakshmi Salai
Adyar, Chennai 600 020
- 3 The Superintending Engineer (SE)
Zone XIII
Corporation of Chennai
Dr. Muthulakshmi Salai
Adyar, Chennai 600 020
- 4 The Executive Engineer
Zone XIII, Corporation of Chennai
Dr. Muthulakshmi Salai
Adyar, Chennai 600 020
- 5 The Junior Engineer
Corporation of Chennai
Zone XIII, Division 176
Dr. Muthulakshmi Salai
Adyar, Chennai 600 020

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents 2 to 5 to dispose of the petitioner's representation dated 31.12.2015.

For petitioner Mr. T.R. Rajagopalan, Sr. Counsel
for M/s. R. Senthil Kumar

For respondents Mr. A. Nagarajan
Standing Counsel

ORDER
(delivered by SATISH K. AGNIHOTRI, J.)

Mr. A. Nagarajan, learned Standing Counsel, accepts notice for the respondents. With consent, the writ petition is taken up for final disposal, at the admission stage itself.

2 This writ petition is filed seeking a writ of mandamus directing the respondents 2 to 5 to dispose of the petitioner's representation dated 31 December 2015.

3 The petitioner's case before us is that pursuant to the stop work notice/notice calling for approved plan dated 19 March 2015 issued by the respondent Corporation under Section 56(1) and 57 read with Section 85 of the Tamil Nadu Town and Country Planning Act, 1971 (for short "the Act"), the petitioner has taken all necessary steps to demolish the second floor of the building at Plot No.8, Old Door No.15, New Door No.2, Venkateshwara Nagar III Street, Besant Nagar, Adyar, Chennai 20, to bring the entire premises in accord with the approval. Thereafter, the petitioner made a representation to the second respondent on 31 December 2015 seeking to cause inspection of the premises and on being satisfied with the construction, to withdraw the aforesaid notice dated 19 March 2015.

4 The learned Standing Counsel appearing for the respondents fairly submits that inspection of the premises will be made within a period of ten days and no action will be taken without making inspection and on being satisfied that the building is in accord with the approved plan.

5 In view of the above submission of the learned Standing Counsel for the respondents, it is ordered accordingly.

The writ petition stands disposed of with the above observation. Costs made easy. Consequently, connected W.M.P. is closed.
cad

-s/d-
Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

To

- 1 The Commissioner
The Corporation of Chennai
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 - 2 The Regional Deputy Commissioner - South
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Zone XIII, Division 176
Dr. Muthulakshmi Salai
Adyar, Chennai 600 020
- + 1 cc to M/s.R.Senthilkumar, Advocate SR 41057
- + 1 cc to Mr.A.Nagarajan, Advocate SR 1692

sai(co)
prk25/1

W.P. No.745 of 2016

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