

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.01.2017

CORAM

THE HON'BLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE M.SUNDAR

W.P.No.652 of 2017

D.Lakshmi Bai

... Petitioner

Vs.

1. State of Tamil Nadu
Rep by Member Secretary
Chennai Metropolitan Development Authority
No.1, Gandhi Irwin Road
Egmore, Chennai-600 008.
2. The Chairman
Chennai Metropolitan Development Authority
No.1, Gandhi Irwin Road
Egmore, Chennai-600 008.
3. The Commissioner
Corporation of Chennai
Rippon Building, Chennai-600 003.
4. The Zonal Officer (Zone-08)
Corporation of Chennai (Chennai Central)
No.36B/12B Pulla Avenue
Shenoy Nagar, Chennai-600 030.
5. The Joint/Deputy Commissioner
Zonal Office (Zone-08)
Corporation of Chennai (Chennai Central)
No.36B/12B Pulla Avenue
Shenoy Nagar, Chennai-600 030.

6. Kalaivani ... Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a writ of Mandamus to direct respondents 1 to 5 herein to take immediate action to demolish the illegal/unauthorized construction put up by one Kalaivani/6th respondent herein on the northern side of her property situated at No.7/5, Mu. Va. Street, Sanjeevi Nagar, Arumbakkam, Chennai-600 106.

For Petitioner : Mr.S.Vijay Anand
For Respondents : Mr.K.Raja Srinivas
for respondents 1 and 2

Mr.R.Arunmozhi
for respondents 3 to 5

ORDER

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

The petitioner having chosen the option of filing a civil suit cannot have multiplicity of proceedings on the same cause of action.

2. We are, thus, not inclined to maintain the writ petition. We, however, make it clear that this will not preclude the authorities concerned from taking action in accordance with law if it is found that the planning permission is being violated.

The writ petition is dismissed with the aforesaid observation. No costs. Consequently, W.M.P.No.702 of 2017 is closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

sasi

To:

1. The Member Secretary
Chennai Metropolitan Development Authority
No.1, Gandhi Irwin Road
Egmore, Chennai-600008.
2. The Chairman
Chennai Metropolitan Development Authority
No.1, Gandhi Irwin Road
Egmore, Chennai-600 008.
3. The Commissioner
Corporation of Chennai
Rippon Building, Chennai-600 003.

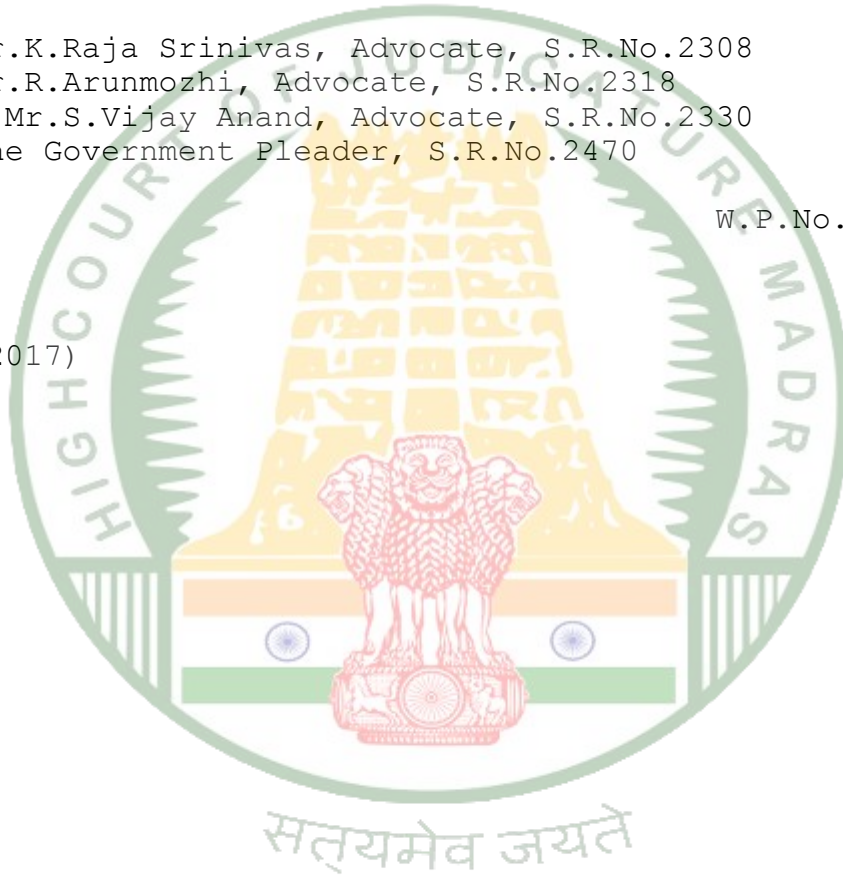
4. The Zonal Officer (Zone-08)
Corporation of Chennai (Chennai Central)
No.36B/12B Pulla Avenue
Shenoy Nagar, Chennai-600 030.

5. The Joint/Deputy Commissioner
Zonal Office (Zone-08)
Corporation of Chennai (Chennai Central)
No.36B/12B Pulla Avenue
Shenoy Nagar, Chennai-600 030.

+1cc to Mr.K.Raja Srinivas, Advocate, S.R.No.2308
+1cc to Mr.R.Arunmozhi, Advocate, S.R.No.2318
+2cc'S to Mr.S.Vijay Anand, Advocate, S.R.No.2330
+1cc to the Government Pleader, S.R.No.2470

W.P.No.652 of 2017

KGK(CO)
CA(19/01/2017)



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