

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.02.2017

CORAM

THE HON'BLE MR.HULUVADI G.RAMESH, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE R.MAHADEVAN

W.P.No.4608 of 2017

S.Victor Santhanam

... Petitioner

Vs.

1. The District Collector
Kancheepuram District
Kancheepuram- 631 501.

2. The Block Development Officer
Tiruporur Panchayat Union
Thandalam- 603 105.

3. The Tahsildhar
Tiruporur Taluk
Tiruporur-603 110.

4. The Panchayat President
Muttukaadu Village Panchayat
Muttukaadu - 603 112.

5. The Deputy Director Town and Country Planning
Chengalpattu Region
No.124 GST Road Periyar Shopping Complex
Chengalpattu-603 001.

6. K.S.Subash

... Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of Mandamus directing respondents 1 to 5 herein to take necessary action against the unauthorized construction activity of the 6th Respondent in Survey No.82/12, Pillayar Koil Street, Kazhipattur Village, Tiruporur Taluk.

(2)

For Petitioner : Mr.M.Sivavarthanan

For Respondents : Mr.M.K.Subramanian
Government Pleader
for respondents 1 to 5

ORDER

(Order of the Court was made by the Acting Chief Justice)

Mr.M.K.Subramanian, learned Government Pleader takes notice for the respondents 1 to 5. Notice to the sixth respondent is dispensed with.

2. Heard the learned counsel for the parties.

3. The petitioner is the owner of the house property. The sixth respondent (private respondent) is the owner of the adjacent property. The sixth respondent started constructing residential flats without car parking facilities and without leaving any set back area. It is alleged that the sixth respondent did not obtain any planning permission. In this regard, the petitioner sent a representation to the respondents on 4.2.2017. However, it is alleged that no action was taken till date. Hence, the present writ petition.

4. Considering the facts and circumstances of the case, we direct the respondent/authorities to consider the representation of the petitioner dated 4.2.2017 in accordance with law, after due notice to the petitioner and the sixth respondent, and pass appropriate orders within three months from the date of receipt of this order. All the contentions raised are left open to be urged by the parties before the competent authority.

The writ petition is disposed of accordingly. No costs.

Sd/
Assistant Registrar

/True copy/

Sub Assistant Registrar

To:

1. The District Collector
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5. The Deputy Director Town and Country Planning
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No.124 GST Road Periyar Shopping Complex
Chengalpattu-603 001.

+1cc to Government Pleader SR.No.11720

+1cc to Mr.M.Sivavarthanan SR.No.11773

SDR 08.03.2017

W.P.No.4608 of 2017

सत्यमेव जयते

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