

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.03.2017

CORAM

THE HON'BLE MR.HULUVADI G.RAMESH, ACTING CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE RMT.TEEKAA RAMAN

W.P.No.6665 of 2017

B.Sathiyaraj

.. Petitioner

Vs.

1. The Commissioner,
Corporation of Chennai,
Chennai - 600 003.

2. The Executive Engineer,
Corporation of Chennai,
Regional Office-Central,
2nd Cross Street (East),
Pulla Avenue, Shenoy Nagar,
Chennai - 600 030.

3. M/s.Amaar Foundation & Properties Pvt. Ltd.,
No.16/20, Dr.Sadasivam Road,
T.Nagar,
Chennai - 600 017.

.. Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of Mandamus to direct the second respondent to take further action in pursuant to the Notice No.REGION CENTRAL/TPENF/0095/2015 dated 02.02.2015 issued by him to the third respondent regarding the building constructed at Plot No.25A, Canal Bank Road, CIT Nagar, Chennai-600 035.

For Petitioner : G.P.Sesubalan Raja

ORDER

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

The petitioner has filed this writ petition seeking issuance of a Writ of Mandamus directing the second respondent to take further action in pursuant to the notice dated 02.02.2015 issued to the third respondent regarding the building

constructed at Plot No.25A, Canal Bank Road, CIT Nagar, Chennai.

2. It is the case of the petitioner that the third respondent constructed an apartment in violation of the approved building plan. Though the Corporation officials inspected the premises and issued notice directing the third respondent to comply with the sanctioned plan within thirty days, the third respondent did not comply with the same. In fact, the third respondent issued advertisement to sell flats without disclosing the lock and seal notice. Hence, the petitioner has filed the writ petition seeking the relief stated supra.

3. Heard the learned counsel for the petitioner and perused the typed set of papers.

4. The grievance of the petitioner is that by violating the building plan, the third respondent is putting up constructions and in fact the third respondent/builder has also issued advertisement to sell flats despite receipt of lock and seal notice.

5. It appears that the petitioner is no way concerned with this matter. As per his own case, the respondent authorities have already issued locking and sealing and demolition notice. Since the respondent authorities have already issued locking and sealing and demolition notice to the third respondent, the respondent authorities will take care of this matter and do the needful in accordance with law. It is a matter between the third respondent and the respondent authorities and there is no public interest involved.

6. The writ petition, accordingly, stands disposed of. However, this will not preclude the respondent authorities from proceeding in accordance with law based on the notice already issued. No costs.

s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To:

- 1 The Commissioner,
Corporation of Chennai,
Chennai - 600 003.

2. The Executive Engineer,
Corporation of Chennai,
Regional Office-Central,
2nd Cross Street (East),
Pulla Avenue,
Shenoy Nagar,
Chennai - 600 030.

+1cc to Mr.P.Sesubalan Raja, Advocate SR.No.17242
+1cc to Mr.Soundarajan, Advocate SR.No.17300/17

W.P.No.6665 of 2017

NRJK(CO)
GN(05/04/2017)



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