

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.03.2017

CORAM

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

W.P.No.6786 of 2017

V. Vijayanathan

.. Petitioner

-vs-

1.The Commissioner/ Executive Officer,
Nandivaram,
Guduvannchery Town Panchayat,
Chengalpattu Taluk,
Kancheepuram District.

2. K. Nelson

3. G. Krishnamoorthy

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of declaration declaring that approval Plan No.156/2011-12, dated 05.09.2011 issued by the 1st respondent to the 2nd respondent as null and void and to demolish the existing superstructure constructed by the 2nd respondent based on the above plan in S.No.640/4B bearing Door No.6, School Street, Nandivaram Village, Chengalpattu Taluk, Kancheepuram District vide approval No.156/2011-12.

For Petitioner : Mr.Muthusamy

For R1 : Mr.M.K. Subramanian,
Government Pleader

ORDER

(Order of the Court was made by
THE HON'BLE ACTING CHIEF JUSTICE)

Heard the learned counsel appearing for the petitioner and Mr.M.K.Subramanian, learned Government Pleader appearing for the first respondent.

2. The writ petition has been filed seeking issuance of a Writ of declaration declaring that approval Plan No.156/2011-12, dated 05.09.2011 issued by the 1st respondent to the 2nd respondent as null and void and to demolish the existing superstructure constructed by the 2nd respondent based on the above plan in S.No.640/4B bearing Door No.6, School Street, Nandivaram Village, Chengalpattu Taluk, Kancheepuram District vide approval No.156/2011-12.

3. According to the petitioner, the second respondent, who is his neighbour, has put up a construction by obtaining approval of the plan from the first respondent illegally and thereby the second respondent had put up his construction covering about 150 sqft land which belongs to the petitioner and hence, he seeks to declare the approval as null and void and to demolish the construction put up by the second respondent, which was subsequently sold to the third respondent.

4. It is a dispute between the neighbours and therefore, it is for the petitioner to seek redressal of his claim before a civil court by conducting a roving enquiry. Accordingly, the writ petition is dismissed. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

ssk.

To

The Commissioner/ Executive Officer,
Nandivaram,
Guduvannchery Town Panchayat,
Chengalpattu Taluk,
Kancheepuram District.

+1cc to the Government Pleader, S.R.No.18834

W.P.No.6786 of 2017

EV(CO)
RS(13/04/2017)