

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.3.2017

CORAM

THE HONOURABLE MR.HULUVADI G.RAMESH, ACTING CHIEF JUSTICE
AND
THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN

W.P.No.6813 of 2017

M.G.Sundar Raj

Petitioner

Versus

- 1 The Member-Secretary
Chennai Metropolitan Development Authority
Chennai-600 008
- 2 The Commissioner
St.Thomas Mount Panchayat Union
Chitlapakkam Chennai-600 064
- 3 The Block Development Officer
St.Thomas Mount Panchayat Union
Chitlapakkam Chennai-600 064
- 4 P.Rajesh Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the Respondent 1 to 3 to implement the order dated 09.11.2016 in W.P. No.39190 of 2016 by inspecting the building and remove the illegal construction made by the 4th respondent herein in the western side of the boundary on the set back area and thereby violation of the approved building plan using their statutory powers within a time to be stipulated by this Honourable Court.

For petitioner : Mr.N.P.Kumar

For R1 : Mrs.K.Raja Shrinivas

For RR2 & 3 : Mr.R.Vijayakumar, AGP

ORDER

(Order of the court was made by HULUVADI G.RAMESH, ACJ.)

Heard the learned counsel appearing for the petitioner Mr.K.Raja Shrinivas, learned counsel for the first respondent and Mr.R.Vijayakumar, learned Additional Government Pleader for respondents 2 and 3, who take notice on their behalf. Notice to the fourth respondent is dispensed with.

2. The writ petition has been filed seeking issuance of a writ of mandamus directing the Respondent 1 to 3 to implement the order dated 09.11.2016 in W.P. No.39190 of 2016 by inspecting the building and remove the illegal construction made by the 4th respondent herein in the western side of the boundary on the set back area and thereby violation of the approved building plan using their statutory powers within a time to be stipulated by this Honourable Court.

3. The petitioner, a neighbour of the fourth respondent, appears to have filed a Writ Petition in W.P.No.39190 of 2016 wherein this court had directed the Block Development Officer, the third respondent to carry out necessary inspection and take action in accordance with law and now, having found that no steps have been taken the fourth respondent, has come with the present writ petition seeking a direction to respondents 1 to 3 to implement the order dated 9.11.2016 passed in the above said writ petition.

4. Therefore, it is for respondents 1 to 3 to look into the matter as directed earlier, within another period of three months from the date of receipt of a copy of this order.

5.The Writ Petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar (CS VIII)

/true copy/

Sub Asst. Registrar

To:

- 1 The Member-Secretary
Chennai Metropolitan Development Authority
Chennai-600 008
- 2 The Commissioner
St.Thomas Mount Panchayat Union
Chitlapakkam Chennai-600 064
- 3 The Block Development Officer
St.Thomas Mount Panchayat Union
Chitlapakkam Chennai-600 064

+1 cc to Mr.K.Raja Srinivas,advocate,sr.18198

+1 cc to Mr.N.P.Kumarank,advocate,sr.18091.

nmi (co)
krd 11/4

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