

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.06.2017

CORAM

THE HON'BLE MS. INDIRA BANERJEE, CHIEF JUSTICE
AND

THE HON'BLE MR.JUSTICE M.SUNDAR

W.P.No.11869 of 2017
and W.M.P.Nos.12792 & 12793 of 2017

K.Rajan

.. Petitioner

Vs.

1 The Commissioner,
Corporation of Chennai,
Ripon Building,
Chennai-3.

2 The Zonal Officer,
Zone-V,
Corporation of Chennai,
Basin Bridge Road,
Chennai-21.

3 The Junior Engineer,
Division No.52,
Corporation of Chennai,
Cemetery Road,
Old Washermanpet,
Chennai-21.

4 Leon

.. Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of mandamus directing 1st to 3rd respondents to lock, seal and demolish the unauthorised construction done by 4th respondent in 2 feet of petitioner's land on the southern side situated at old No.78, New No.80, Model Lane, 2nd street, Cemetery Road, Old Washermanpet, Chennai - 600 021 under the provision of the Town and Country Planning Act, 1971 as amended by Act 61 of 2008 by considering the petitioner's representation dated 16.03.2017.

For Petitioner : Mr.I.Arockia Selvaraj

For Respondents : Mr.A.Nagarajan
for R1 to R3

ORDER

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

This writ petition has been filed by the petitioner seeking a writ of mandamus directing respondents 1 to 3 to lock, seal and demolish the unauthorised construction put up by the fourth respondent in the petitioner's land on the southern side situated at Old No.78, New No.80, Model Lane Second Street, Cemetery Road, Old Washermanpet, Chennai-21 under the provisions of the Town and Country Planning Act, 1971 by considering the representation of the petitioner dated 16.03.2017.

2. Mr.A.Nagarajan, learned counsel accepts notice for respondents 1 to 3.

3. The fourth respondent is a private respondent, who is alleged to have put up unauthorised construction.

4. The office of the second respondent shall cause an inspection of the premises in question i.e., Old No.78, New No.80, Model Lane Second Street, Cemetery Road, Old Washermanpet, Chennai-21 to be made within a fortnight from the date of receipt of copy of this order and if the construction of fourth respondent is found to be in violation of the sanctioned plan or if it is unauthorized in any other manner, the second respondent shall take action in accordance with law, after giving notice to all concerned, particularly the fourth respondent before us, and conclude the proceedings within a period of two months thereafter.

5. The writ petition, accordingly, stands disposed of. No costs. Consequently, W.M.P.Nos.12792 & 12793 of 2017 are closed.

Sd/-

Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

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To:

1 The Commissioner,
Corporation of Chennai,
Ripon Building,
Chennai-3.

2 The Zonal Officer,
Zone-V,
Corporation of Chennai,
Basin Bridge Road,
Chennai-21.

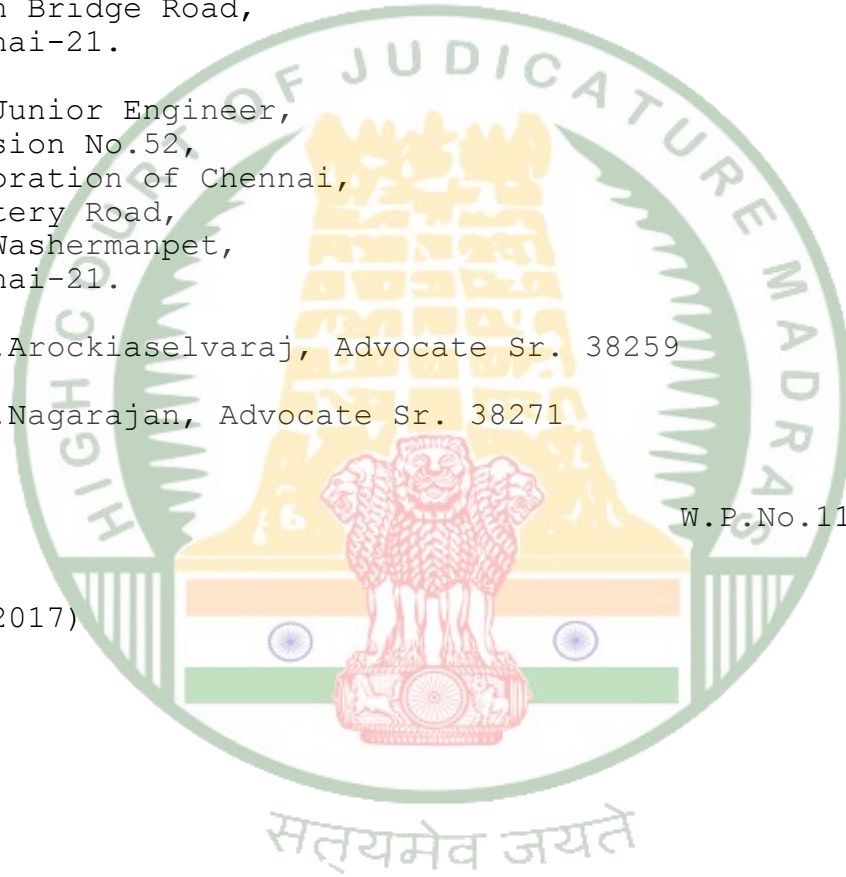
3 The Junior Engineer,
Division No.52,
Corporation of Chennai,
Cemetery Road,
Old Washermanpet,
Chennai-21.

+1cc to I.Arockiaselvaraj, Advocate Sr. 38259

+1cc to A.Nagarajan, Advocate Sr. 38271

NR(CO)
VR(12/06/2017)

W.P.No.11869 of 2017



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