

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.01.2017

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND
The Hon'ble MR.JUSTICE M.SUNDAR

W.P.No.9095 of 2010
and
M.P.No.1 of 2010

N.Krishnamoorthy

... Petitioner

-Vs-

1. The Member Secretary
Chennai Metropolitan Development Authority,
No.1, Gandhi Irwin Road, Egmore,
Chennai-8.
2. The Zonal Officer,
Corporation of Chennai, Zone XII,
Alandur, Chennai 600 116.

(R-2 amended as directed below in
the final order dt.09.01.2017)

3. A.Bose

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the respondents 1 and 2 to demolish and to remove the unauthorised illegal construction made by the third respondent in Door No.12, Rajiv Gandhi Street (Erikarai Street), (No.35, Dr.Ambedkar Street), Minambakkam Village, Chennai 600 027, in S.No.17 Part, forthwith.

For Petitioner : Mr.L.Chandrakumar

For Respondents : Mr.K.Raja Srinivas for R-1
: Mr.V.C.Selvasekaran for R-2
: Mr.M.Rajasekhar for R-3

O R D E R

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

We are informed that the area in question stands merged with the Corporation of Chennai and thus, the description of the second respondent be accordingly amended by amending the memo of parties.

2.The petitioner alleges unauthorised construction by the third respondent and states that there has been further unauthorised construction.

3.On the other hand, learned counsel for the third respondent states that planning permission was obtained and the building has been constructed of ground and first floor as per planning permission.

4.The aforesaid being the controversy, the second respondent to cause an inspection of the premises within fifteen (15) days of the receipt of the order and in case any unauthorised construction is found, action in accordance with law be taken after notice to all concerned and concluded within a maximum period of two (2) months thereafter.

Writ petition, accordingly, stands disposed of. No costs. Consequently, M.P.No.1 of 2010 stands closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

sra

To

1. The Member Secretary
Chennai Metropolitan Development Authority,
No.1, Gandhi Irwin Road, Egmore,
Chennai-8.
2. The Zonal Officer,
Corporation of Chennai, Zone XII,
Alandur, Chennai 600 116.

+lcc to Mr.K.Raja Srinivas, Advocate, S.R.No.1917
+lcc to Mr.M.Rajasekhar, Advocate, S.R.No.1993
+lcc to Mr.L.Chandrakumar, Advocate, S.R.No.2181

W.P.No.9095 of 2010

KGK(CO)
CA(19/01/2017)