

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.05.2017

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
and
THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.13390 of 2017
and WMP.No.14426 of 2017

R.Vijay Raghavan

.. Petitioner

Vs.

1. The Member Secretary,
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Maaligai,
1, Gandhi Irwin Road,
Egmore, Chennai-600 008.
2. The Member Secretary,
Enforcement Cell,
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Maaligai,
1, Gandhi Irwin Road,
Egmore, Chennai-600 008.
3. The Commissioner,
Corporation of Chennai,
Ripon Building,
Chennai-600 003.
4. The Executive Engineer-II,
New Zone 08, (Shenoy Nagar),
Corporation of Chennai,
Chennai-600 030.

5. Dr.G.Balakrishnan

.. Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents 3 and 4 to stop continuous illegal construction of ground floor plus 3 floors, head room and water tank carrying on till now by the 5th respondent without the planning permission from the CMDA which was stated in the letters dated 17.03.2017 addressed to the respondents 1 to 4 as per the procedure provided under 57 and 56 of the Tamil Nadu Town & Country

Planning Act.

For Petitioner : Mr.S.Devanathan
For Respondents : Mr.C.Johnson (R1 & R2)
Ms.R.Arulmozhi (R3 & R4)

O R D E R

[Order of the Court was made by M.M.SUNDRESH, J.]

The petitioner, who is a neighbour of 5th respondent, made a complaint to the 1st respondent alleging that there is an encroachment, apart from illegal construction said to be involved by the 5th respondent. On receipt of the complaint, the 1st respondent has forwarded it to the respondents 3 & 4 for appropriate action as seen from Letter No.EC/N-I/001387/2017 dated 24.04.2017. As further action is not forthcoming and in view of the alleged unauthorized construction on the part of the 5th respondent, the present writ petition has been filed.

2.Considering the above facts and circumstances, this Court, without going into the merits of the case, directs the respondents 3 & 4 to pass appropriate orders in pursuant to the letter dated 24.04.2017 sent by the 1st respondent, after due notice to the petitioner and 5th respondent within a period of eight weeks from the date of receipt of copy of this order.

3.With the above direction, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar/VO

//True Copy//

Sub Assistant Registrar

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To

1. The Member Secretary,
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Maaligai,
1, Gandhi Irwin Road,
Egmore, Chennai-600 008.

2. The Member Secretary,
Enforcement Cell,
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Maaligai,
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3. The Commissioner,
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4. The Executive Engineer-II,
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Chennai-600 030.

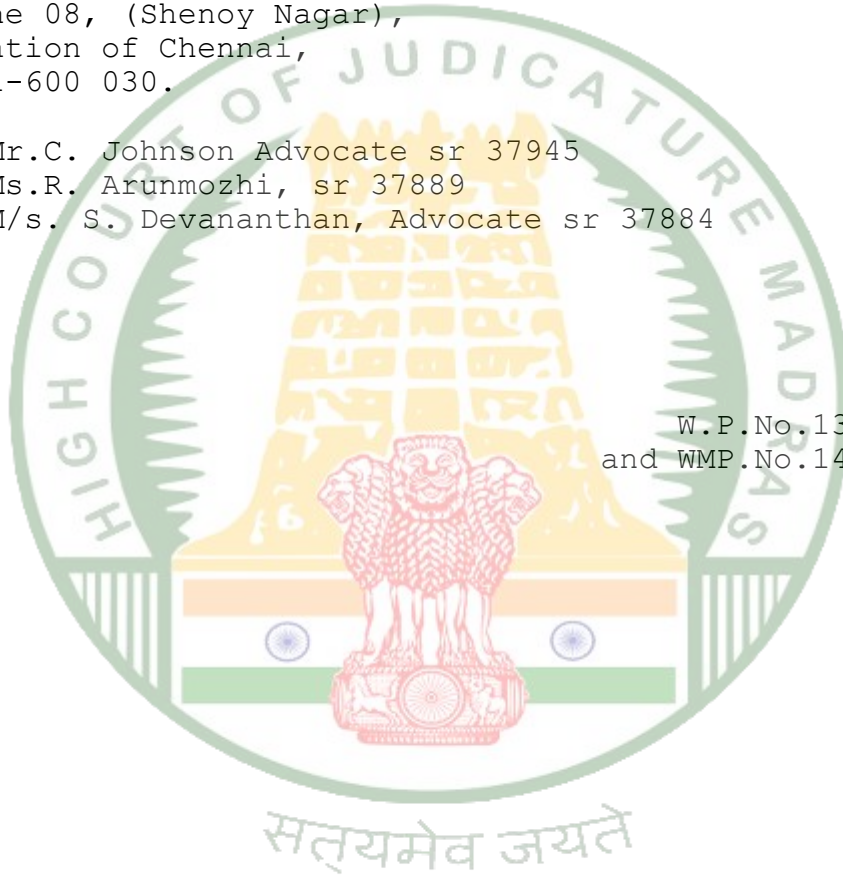
+1 CC to Mr.C. Johnson Advocate sr 37945

+1 CC to Ms.R. Arunmozhi, sr 37889

+1 CC to M/s. S. Devanathan, Advocate sr 37884

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