

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 11.01.2018

Coram

THE HONOURABLE Mr. JUSTICE M.VENUGOPAL
AND
THE HONOURABLE Mr. JUSTICE S.VAIDYANATHAN

W.P.No.25857 of 2017 and
WMP No.27295 of 2017

M/s Madambakkam Vasudeva
Pillai Trust
Rep. By its Secretary,
Ramakumaravelan,
No.23, Thandavan Street,
Purasawalkam,
Chennai - 600 007

.. Petitioner

Vs.

1. The Commissioner,
Corporation of Chennai
Chennai - 600 003
2. The Assistant Engineer,
Division - 104,
Corporation of Chennai,
Chennai
3. The Zonal Officer,
Zone - VIII, Corporation of Chennai
Chennai
4. D.Gopi
5. The Assistant Engineer,
TANGEDCO, Purasawalkam
Chennai - 600 007

(R5 is suo motu impleaded as per
order dated 11.01.2018 by MVJ & SVNJ)

..Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India for issuance of a Writ of Mandamus directing the Respondents 1 to 3 to take action against the unauthorised construction at Door No.3, Vasudevan street, Purasawakkam, Chennai - 600 007 done by 4th Respondent in accordance with law.

For Petitioner : No appearance

For Respondents : Mr.A.Nagarajan for R1 to R3
No appearance for R4

O R D E R

[Order of the Court was made by S.VAIDYANATHAN, J.]

Today, at the time of calling up the matter, there is no appearance for the Petitioner as well as for the 4th Respondent, either in person, or through Learned Counsel, although notice has been served to the 4th respondent on 04.12.2017 and name has been printed in cause list.

2. It is informed by the Learned Counsel for the Respondents 1 to 3, by way of counter, that after inspecting the site in question by the authorities of the Corporation, Chennai, action has been initiated by issuing Stop Work Notice / Calling Approved Plan in terms of Sections 56 and 57 read with Section 85 of Tamilnadu Town and Country Planning Act, 1971 dated 10.11.2017 to the 4th respondent and till date, the 4th respondent has not produced any approved plan, as called for in the said aforesaid notice.

3. Heard the learned counsel for the respondents 1 to 3 and perused the documents available on record.

4. Admittedly, it is clear from the counter filed by the respondents 1 to 3 that the 4th respondent, till date, has not produced any approved plan, as called for in the said aforesaid notice. Therefore, it is open to the respondents 1 to 3 to take necessary action in respect of issuance of de-occupation of the 4th respondent within a period of fifteen days from the date of receipt of copy of this order. Since the 4th Respondent has not produced the plan as called for in the notice dated 10.11.2017, this Court impleads the Assistant Engineer, Electricity Board, Purasawalkam as one of the respondents, who shall disconnect the electricity connection to the 4th respondent within a period of 10 days from today.

With the above said observation, this Writ Petition is disposed of. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-
Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

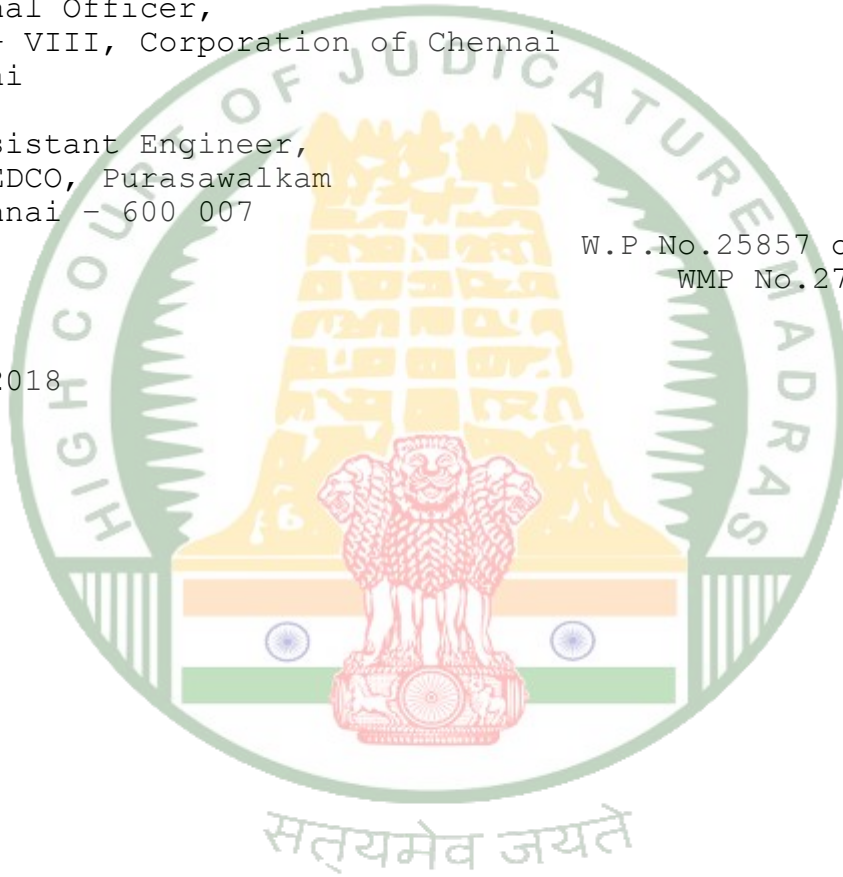
ssd

To

1. The Commissioner,
Corporation of Chennai
Chennai - 600 003
2. The Assistant Engineer,
Division - 104,
Corporation of Chennai,
Chennai
3. The Zonal Officer,
Zone - VIII, Corporation of Chennai
Chennai
4. The Assistant Engineer,
TANGEDCO, Purasawalkam
Chennai - 600 007

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gj(co)
nr 12/02/2018



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