

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED:02.07.2018
CORAM:
THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN
AND
THE HONOURABLE MR. JUSTICE N.SESHASAYEE
W.P.No.16025/2018

S.Anandan

..

Petitioner

Vs

- 1 The Member Secretary
Chennai Metropolitan Development
Authority, No.1, Gandhi Irwin Road
Egmore, Chennai-8.
- 2 The Commissioner
Greater Chennai Corporation
Ripon Buildings,
Poonamallee High Road,
Chennai.
- 3 The Principal Chief Engineer
Zonal Office-VII, Ambattur
Thiruvallur High Road
Opposite to Dunlop
Ambattur, Chennai-53.
- 4 V.S.Baskaran ... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus, directing the respondents to take appropriate action on petitioner representation dated 09.12.2017 within a time frame.

For Petitioner : Mr.K.S.Ilangovan
For R-1 : Mrs.Veena Suresh
For R-2 & R-3 : Mr.R.Arulmozhi

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ORDER

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

By consent, the writ petition is taken up for final disposal. Mrs.Veena Suresh, learned Standing counsel accepts notice on behalf of the 1st respondent and Mr.R.Arulmozhi, learned Standing counsel accepts notice on behalf of the respondents 2 and 3.

2 The petitioner would aver that he and the 4th respondent are the owners of the property at Old Door Nos.1

and 1A, New Nos.36 and 36A, Brahmin Street, Korattur, Chennai-18 respectively and their houses lie adjacent to each other with a vacant land appurtenant to their superstructures. The grievance expressed by the petitioner is that the 4th respondent, through the services of VGN Builders, is putting up a residential Flat with four flats and the same is in deviation of the sanctioned plan. The petitioner has also invoked the benevolent provisions of the Right to Information Act, 2005, and obtained information from the Public Information Officer/Executive Engineer, Zone-VIII, Ambattur and as per the said information, Stop Work Notice / Notice calling upon for approved plan, dated 12.02.2018 vide Reference No.07/00012/2018 has been issued.

3 The learned counsel for the petitioner would submit that the said communication has been sent as early as on 16.02.2018 and however, no action has been as regards the offending construction being undertaken by the 4th respondent and therefore, prays for appropriate orders.

4 The Court heard the submissions of Mrs.Veena Suresh, learned Standing counsel appearing for the 1st respondent and Mr.R.Arulmozhi, learned Standing Counsel appearing for the respondents 2 and 3 and also perused the materials placed before it.

5 This Court, taking into consideration, the above facts and circumstances and without going into the merits of the claim projected by the petitioner in this writ petition, directs the Zonal Officer-VII, Ambattur, Greater Chennai Corporation, Chennai-53, to proceed in accordance with law in terms of the Stop Work Notice / Notice calling for Approval Plan dated 12.02.2018 in Reference No.07/00012/2018 and complete the said process within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision to the petitioner as well as the 4th respondent.

6 The writ petition stands disposed of with the above direction. No costs.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

AP

To

1

The Member Secretary
Chennai Metropolitan Development
Authority, No.1, Gandhi Irwin Road
Egmore, Chennai-8.

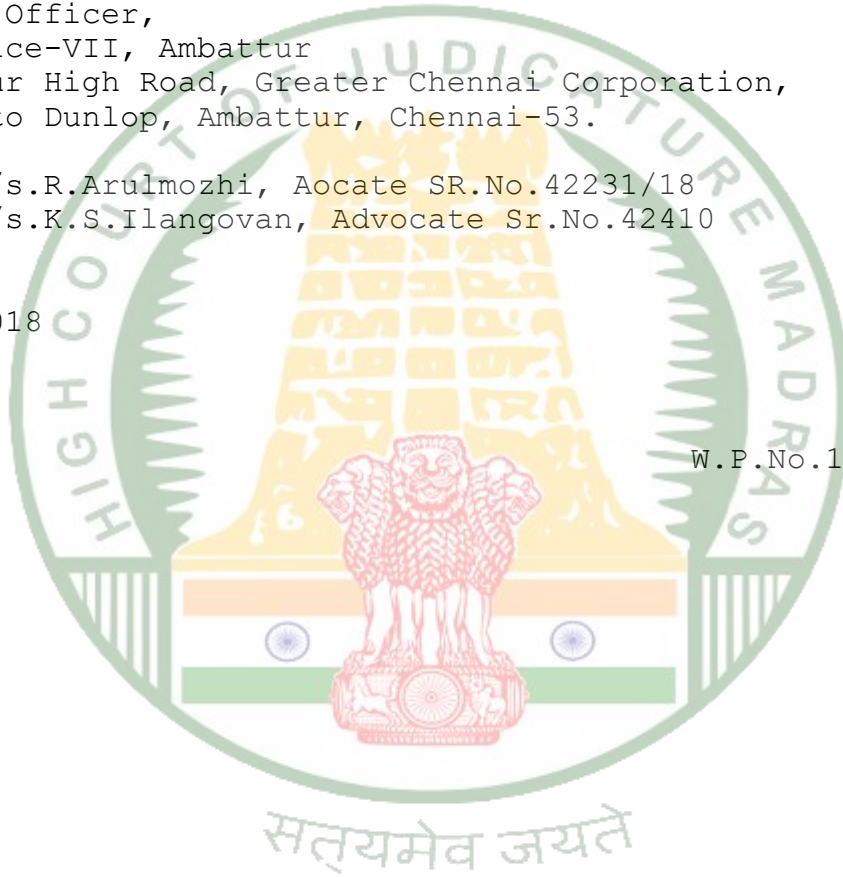
- 2 The Commissioner
Greater Chennai Corporation
Ripon Buildings, Poonamallee High Road,
Chennai.
- 3 The Principal Chief Engineer
Zonal Office-VII, Ambattur
Thiruvallur High Road
Opposite to Dunlop
Ambattur, Chennai-53.

Copy to:-

The Zonal Officer,
Zonal Office-VII, Ambattur
Thiruvallur High Road, Greater Chennai Corporation,
Opposite to Dunlop, Ambattur, Chennai-53.

+1cc to M/s.R.Arulmozhi, Aocate SR.No.42231/18
+1cc to M/s.K.S.Ilangovan, Advocate Sr.No.42410

SSV(CO)
sm:23.7.2018



W.P.No.16025/2018

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