

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.07.2019

CORAM

THE HON'BLE MRS.VIJAYA K.TAHILRAMANI, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.1413 of 2019

A.Muthu

.. Petitioner

Vs

1 The Commissioner
Greater Chennai Corporation
Park Town
Chennai - 600 003.

2 The Executive Engineer
Zone-10, Ward No.127
Greater Chennai Corporation
Koyamedu Zone
Chennai - 600 092.

3 S.M.H.Sheik Mohamed

4 T.Sundari

.. Respondents

PRAYER:

Petition under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing respondents 1 and 2 herein to take action on the notice 28.8.2018 and reminder dated 25.9.2018 made by the petitioner without any hindrance as the illegal building put up by the 3rd respondent herein at southern portion of vacant land bearing Plot No.23, at present Door No.24, III Cross Street, Kumaran Nagar, Chennai-92, comprised in Survey No.118/2A1A/A7F and 204/1A4E of Koyambedu Village and to lock and seal the building by respondents 1 and 2.

For Petitioner

: Mr.G.A.Baskar Rajan

For Respondents

: V.C.Selvasekaran
for respondents 1 and 2
Mr.D.Ashok Kumar
for 3rd respondent
No appearance
for 4th respondent

ORDER

(Order of the Court was made by M.DURAISWAMY,J.)

The above writ petition has been filed by the petitioner to issue writ of mandamus directing respondents 1 and 2 herein to take action on the notice 28.8.2018 and reminder dated 25.9.2018 made by the petitioner with regard to the illegal building put up by the 3rd respondent at southern portion of vacant land bearing Plot No.23, at present Door No.24, III Cross Street, Kumaran Nagar, Chennai-92, comprised in Survey No.118/2A1A/A7F and 204/1A4E of Koyambedu Village and to lock and seal the said building.

2. Mr.V.C.Selvasekaran, learned counsel appearing for respondents 1 and 2 submitted that, on inspection of the property in dispute, the authorities found that the construction is unauthorized and, therefore, issued a notice dated 27.6.2019 for locking, sealing and demolition. Further, the learned counsel submitted that thirty days time granted in the said notice expires on 26.7.2019. That apart, the learned counsel also submitted that after expiry of the notice period, respondents 1 and 2 would proceed further and act in accordance with law.

3. In view of the submission made by the learned counsel appearing for respondents 1 and 2 to the effect that the said respondents would proceed further and take action in respect of the unauthorized construction put up by the third respondent, there is no necessity for issuing further directions to respondents 1 and 2.

In view of the above, the writ petition is closed. No costs.

Sd/-

Joint Registrar(J)

//True Copy//

Sub Assistant Registrar

sasi

To:

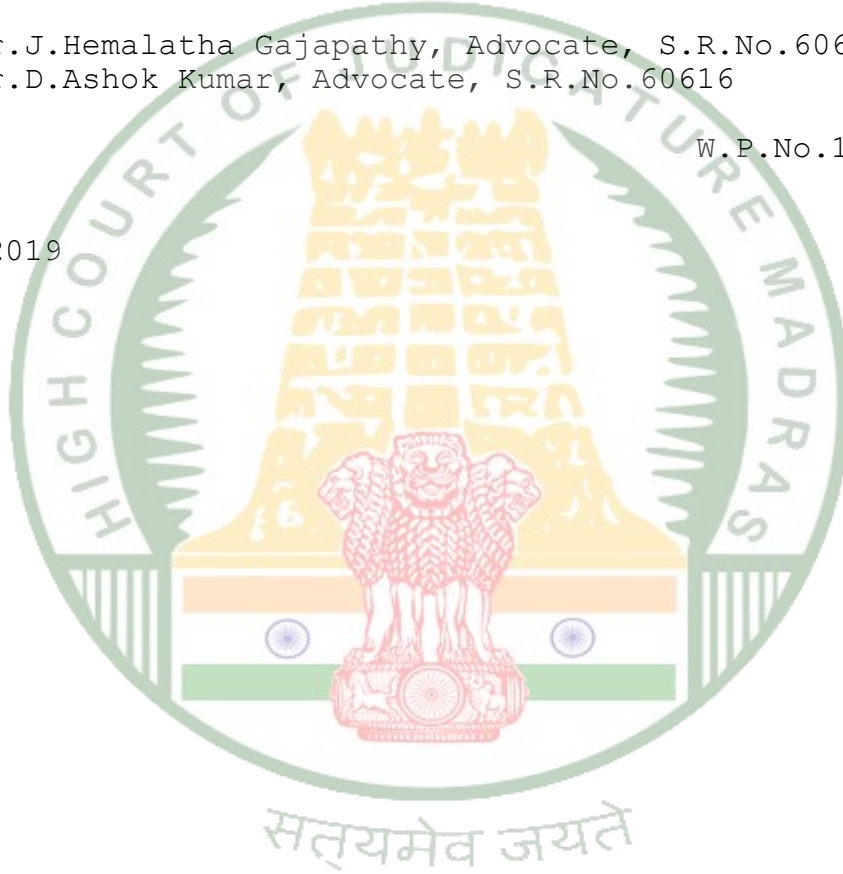
- 1 The Commissioner
Greater Chennai Corporation
Park Town
Chennai - 600 003.
- 2 The Executive Engineer
Zone-10, Ward No.127
Greater Chennai Corporation
Koyamedu Zone
Chennai - 600 092.

+1cc to Mr.J.Hemalatha Gajapathy, Advocate, S.R.No.60644

+1cc to Mr.D.Ashok Kumar, Advocate, S.R.No.60616

W.P.No.1413 of 2019

NR(CO)
CS/07/08/2019



WEB COPY