

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.08.2019

CORAM

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

W.P.No.4152 of 2019

J.Ganesan

.. Petitioner

Vs

- 1 The Thasildar
Egmore-Nungambakkam Taluk
Chennai - 600 031.
- 2 The Zonal Officer
Zone-X, Corporation of Greater Chennai
No.64, NSK Salai
Kodambakkam
Chennai - 600 024.
- 3 G.N.Raj
- 4 G.N.Durai
- 5 The Executive Officer
Arulmighu Baradwajeeswarar Temple
Kodambakkam, having office at
Arulmighu Vadapalani Andavar Temple
Vadapalani, Chennai-026.
(Respondents 4 and 5 impleaded
vide order dated 22.4.2019 made
in WMP.No.9911/2019)

.. Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the second respondent to pass orders on the representation/complaint by the petitioner dated 30.10.2018 against the illegal construction put up by the 3rd Respondent at Door No.14, Sivan Koil Cross Street, Kodambakkam, Chennai - 600024.

For Petitioner : Mr.S.Baskaran

For Respondents : Mr.S.Kamalesh Kannan
Government Advocate
for 1st respondent

Mr.V.C.Selvasekaran
for 2nd respondent

Mr.V.Manisekaran
for respondents 3 and 4

No appearance
for 5th respondent

ORDER

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

Heard Mr.S.Baskaran, learned counsel for the petitioner;
Mr.S.Kamalesh Kannan, learned counsel for the first respondent;
Mr.V.C.Selvasekaran, learned counsel for the second respondent
and Mr.V.Manisekaran, learned counsel for respondents 3 and 4.

2. The petitioner is seeking directions to the second respondent, i.e., the Zonal Officer, Zone-X, Corporation of Greater Chennai, to pass orders on the representation/complaint made by petitioner on 30.10.2018 against the illegal construction put up by the third respondent at Door No.14, Sivan Koil Cross Street, Kodambakkam, Chennai - 600024.

3. The learned counsel for the Corporation stated that the site in question was inspected on 1.3.2019 in the presence of the officials of the Greater Chennai Corporation, the daughter of the petitioner as well as the third respondent. After survey, it was ascertained that there was unauthorized construction on the said site. Hence, the Corporation has taken action by issuing a notice dated 18.3.2019 to the third respondent calling for approved plan under Sections 56 and 57 read with Section 85 of the Tamil Nadu Town and Country Planning Act, 1971. The learned counsel for the Corporation stated that thereafter they have issued a Locking and Sealing and Demolition notice dated 10.6.2019 to the third respondent.

4. Thus, it is seen that the Corporation is taking action in relation to the unauthorized construction.

In view of the above, no further orders are necessary at this stage. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS-IV)

//True copy//

Sub Assistant Registrar

sasi

To:

- 1 The Thasildar
Egmore-Nungambakkam Taluk
Chennai - 600 031.
- 2 The Zonal Officer
Zone-X, Corporation of Greater Chennai
No.64, NSK Salai
Kodambakkam
Chennai - 600 024.
- 3 The Executive Officer
Arulmighu Baradwajeeswarar Temple
Kodambakkam, having office at
Arulmighu Vadapalani Andavar Temple
Vadapalani, Chennai-026.

+1cc to Mr.S.Baskaran, Advocate SR.No.70638

+1cc to Government Pleader SR.No.70865

W.P.No.4152 of 2019

VGI (CO)
GMY (09/09/2019)

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