

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.08.2019

CORAM :

The Hon'ble Mrs.VIJAYA K.TAHILRAMANI, CHIEF JUSTICE

AND

The Hon'ble Mr.JUSTICE M.DURAI SWAMY

W.P. No.6762 of 2019

S.Sundaramoorthy Jayaseelan .. Petitioner

-vs-

- 1.The Member Secretary,
Chennai Metropolitan Development
Authority, No.1, Gandhi Irwin Road,
Egmore, Chennai 600 008.
- 2.The Commissioner,
Corporation of Chennai,
Ripon Building, Chennai 600 003.
- 3.The Regional Deputy Commissioner,
Corporation of Chennai (Central),
Shenoy Nagar, Chennai 600 030.
- 4.The Executive Engineer,
Zone-VI, Corporation of Greater
Chennai, Chennai 600 023.
- 5.The Zonal Officer,
Zone-VI, Corporation of Chennai,
Ayanavaram, Chennai 600 023.

- 6.Srinivasan
(R-6 impleaded as per order of Court
dt.28.08.2019 in WMP.9134/2019) .. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the respondents immediately to demolish the unauthorised/deviated construction of the building being carried out at Door No.309, Thiru Vi Ka Nagar, 18th Street (Behind Thiru Vi Ka Bus Terminus), Chennai-11, Zone VI, Division 68, Ward-16.

For Petitioner : Mr.A.G.Rajan
For Respondents : Mr.Karthik Rajan
Stdg. Counsel for R-1
: Mr.V.C.Selvasekaran
Stdg. Counsel for RR 2 to 5.
: No appearance for R-6
* * * * *

O R D E R

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

Heard Mr.A.G.Rajan, learned counsel for the petitioner, Mr.Karthik Rajan, learned Standing Counsel for respondent no.1 and Mr.V.C.Selvasekaran, learned Standing Counsel for respondent nos.2 to 5.

2.The case of the petitioner is that unauthorised/deviated construction has been put up by respondent no.6 at Door No.309, Thiru Vi Ka Nagar, 18th Street (Behind Thiru Vi Ka Bus Terminus), Chennai-11, Zone VI, Division 68, Ward-16. Hence, the petitioner has prayed that a direction be issued to respondents Corporation to demolish the said unauthorised/deviated construction.

3.The learned counsel representing respondent nos.2 to 5 / Corporation, submitted that in relation to the said unauthorised/ deviated construction, locking and sealing and demolition notice was issued to respondent no.6 on 09.02.2019. The said notice was issued under Section 57 read with Section 85 of the Tamil Nadu Town and Country Planning Act, 1971. The learned counsel for the respondents Corporation further submitted that against the said notice, respondent no.6 preferred a revision/appeal before the Government, which is filed under Section 80A of the said Act. He submitted that respondent no.6 had also preferred an application for stay in the said revision/appeal.

4.Thus, it is seen that the authorities have taken action in relation to the said unauthorised/deviated construction put up by respondent no.6.

In view of the above facts, no further orders are necessary and the writ petition is, accordingly, disposed of. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

sra

To

- 1.The Member Secretary,
Chennai Metropolitan Development
Authority, No.1, Gandhi Irwin Road,
Egmore, Chennai 600 008.
 - 2.The Commissioner,
Corporation of Chennai,
Ripon Building, Chennai 600 003.
 - 3.The Regional Deputy Commissioner,
Corporation of Chennai (Central),
Shenoy Nagar, Chennai 600 030.
 - 4.The Executive Engineer,
Zone-VI, Corporation of Greater
Chennai, Chennai 600 023.
 - 5.The Zonal Officer,
Zone-VI, Corporation of Chennai,
Ayanavaram, Chennai 600 023.
- +1 cc to Mr.A.G.Rajan Advocate sr 75011
+1 cc to M/s.Karthik Rajan Advocate sr75442

WEB COPY

W.P.No.6762 of 2019

sal(co)
aa14/10/2019