

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.01.2019

CORAM :

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

AND

The Hon'ble Mr.JUSTICE M.DURAI SWAMY

W.P. No.20784 of 2018

Dr.Syed Ali Peeran

.. Petitioner

-Vs-

1. Chennai Metropolitan Development Authority, rep. by The Member-Secretary, Thalamuthu Natarajan Building, No.1, Gandhi Irwin Road, Egmore, Chennai 600 008.
2. The Greater Corporation of Chennai, rep. by its Commissioner, Ripon Buildings, Park Town, Chennai 600 003.
3. The Zonal Officer, Zone-9, The Greater Corporation of Chennai, No.1, Lake View 4th Cross Street, Nungambakkam, Chennai 600 034.

4.A.M.K.Mohamed Salih

5.A.M.K.Shaik Abdul Hameed

6.M.S.Mohamed Ferousdeen

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the 1st, 2nd and 3rd respondents to consider the representation dated 19.10.2017 and 29.06.2018 and to take necessary enforcement action against the unauthorized construction put up in the premises, New Door No.16, Old No.26/2, Haji Sheik Hussain Street, Royapettah, Chennai 600 014, forthwith according to law.

For Petitioner : Mr.K.S.Ganesh Babu
For Respondents : Mr.Karthik Rajan
Stdg. Counsel for R-1
: Mr.R.Arunmozhi
Stdg. Counsel for RR 2 and 3
: Mr.S.Selvakumar for RR 4 to 6

O R D E R

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

The petitioner is seeking directions to respondent nos.1 to 3, i.e., The Member-Secretary, Chennai Metropolitan Development Authority; The Commissioner, Greater Corporation of Chennai; and The Zonal Officer, Zone-9, The Greater Corporation of Chennai, No.1, Lake View 4th Cross Street, Nungambakkam, Chennai 600 034, to consider his representations dated 19.10.2017 and 29.06.2018, in relation to unauthorised construction put up by respondent nos.4 to 6 in the premises at New Door No.16, Old No.26/2, Haji Sheik Hussain Street, Royapettah, Chennai 600 014.

2. The learned counsel for respondent nos.2 and 3, i.e., Commissioner and Zonal Officer, Zone-9, of Greater Corporation of Chennai, has tendered an affidavit sworn to by respondent no.3/Zonal Officer, wherein it is stated that action has been taken against the building in question by issuing locking and sealing and demolition notice under Sections 56 and 57 read with 85 of the Tamilnadu Town and Country Planning Act, 1971. The notice is dated 03.10.2018. It is further stated in the affidavit that the authorities will take further action in accordance with law against the building put up by respondents 4 to 6.

In view of the averments in the affidavit of respondent no.3, no further directions are necessary. The writ petition is disposed of. No costs.

sra

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Member-Secretary,
Chennai Metropolitan Development
Authority, Thalamuthu Natarajan Building,
No.1, Gandhi Irwin Road, Egmore,
Chennai 600 008.
2. The Commissioner,
Greater Corporation of Chennai,
Ripon Buildings, Park Town,
Chennai 600 003.
3. The Zonal Officer, Zone-9,
The Greater Corporation of Chennai,
No.1, Lake View 4th Cross Street,
Nungambakkam, Chennai 600 034.

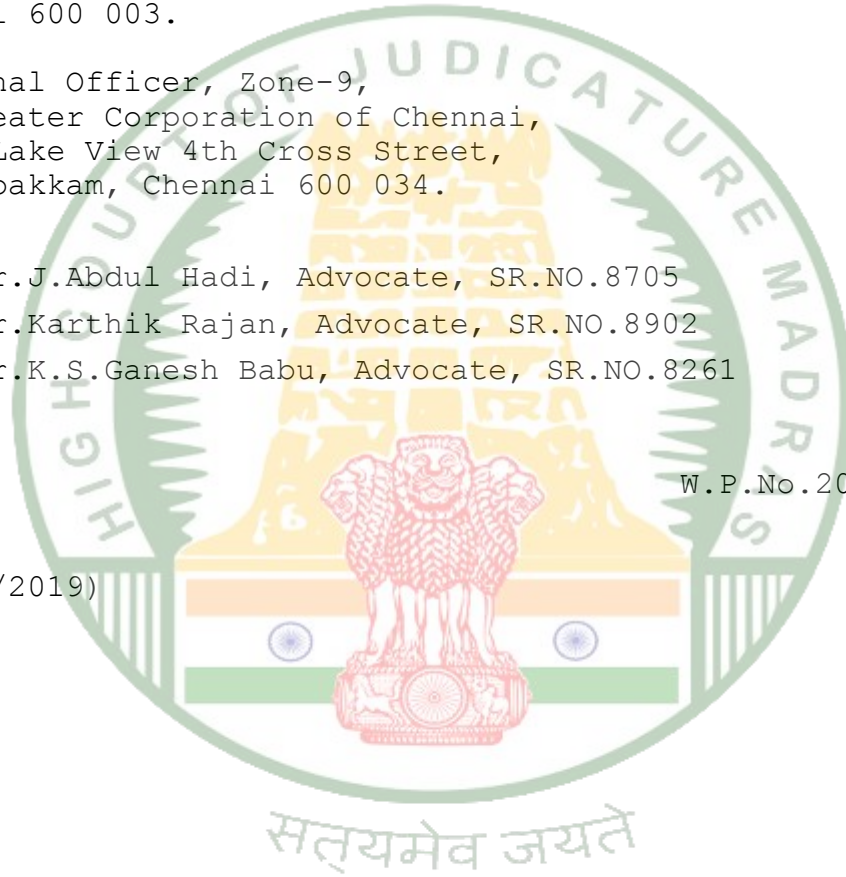
+1CC To Mr.J.Abdul Hadi, Advocate, SR.NO.8705

+1CC To Mr.Karthik Rajan, Advocate, SR.NO.8902

+1CC To Mr.K.S.Ganesh Babu, Advocate, SR.NO.8261

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VSNII- (CO)
KAK (26/02/2019)



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