

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.04.2019

CORAM :

The Hon'ble Mrs.VIJAYA K.TAHILRAMANI, CHIEF JUSTICE
AND
The Hon'ble Mr.JUSTICE M.DURAI SWAMY

W.P. No.21910 of 2018

Syed Shahzada

.. Petitioner

-vs-

1. The Member Secretary
Chennai Metropolitan Development
Authority, No.1, Gandhi Irwin Road,
Egmore, Chennai 600 008.
2. The Zonal Officer,
Zone IX (Teynampet),
No.4, 4th Cross Street, Lakeview Road,
Chennai 600 034.
3. The Chota Naksha Charities,
Rep. by Muthavalli, 8/15, Hussain Ali Khan,
2nd Street, Royapettah, Chennai 600 014.
4. The Wakf Board,
Rep. by its Chairman, No.1, Jaffar Syrang
Street, Vallal Seethakathi Nagar,
Chennai 600 001.
(R-4 impleaded vide order dt.19.02.2019
made in WMP.39680/2018)

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the 1st respondent to demolish the unauthorized construction forthwith carried out in the land belonging to the 3rd respondent.

For Petitioner : Mr.N.Alagu narayanan
for M/s.RRN Legal

For Respondents : Mr.Karthick Rajan for R-1
: Mr.R.Arunmozhi for R-2
: Mr.N.A.Nizzar Ahmed for R-3
: Mr.V.Lakshminarayanan for R-4

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O R D E R

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

Heard the learned counsel for the petitioner and the learned counsel appearing for the respondents.

2.The petitioner is seeking directions to the first respondent to demolish the unauthorized construction put up by the third respondent in respect of the following buildings:-

- a) No.8/13, Sardar Jung Garden 3rd Street, Royapettah, Chennai-600 014.
- b) No.30, Mehdi Ali Khan Street, Royapettah, Chennai 600 014.
- c) No.1, Hussain Ali Khan 1st Street, Royapettah Chennai 600 014.
- d) No.8, Hussain Ali Khan Street, Royapettah, Chennai 600 014.
- e) No.23, Mehdi Hussain Khan Street, Royapettah, Chennai 600 014
- f) No.218, Peters Road, Royapettah, Chennai 600 014.

3.The learned counsel appearing for the second respondent Corporation has tendered a report of the Zonal Officer-IX, wherein it is stated that a de-occupation notice under Section 57 read with Section 85 of the Tamil Nadu Town and Country Planning Act, 1971, was issued to respondent no.3. The said notice is dated 30.11.2018. It is stated by the learned counsel appearing for respondent no.3 that appeals have been preferred in relation to the notices issued.

4.Thus, it is seen that the authorities are taking action in relation to the unauthorized construction put up by respondent no.3. Thus, no further orders are necessary at this stage and the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (Insp.Cell)

//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 Zonal Officer,
Zone IX (Teynampet), No.4, 4th Cross Street,
Lakeview Road, Chennai 600 034.

3. The Chairman,
Wakf Board, No.1, Jaffar Syrang Street,
Vallal Seethakathi Nagar, Chennai 600 001.

+1 cc to Mr.Karthik Rajan, Advocate, S.R.No.32136

+1 cc to Mr.N.A.Nizzar Ahmed for R-3, Advocate, S.R.No.31899

W.P.No.21910 of 2018

MG(CO)
SSM(03/05/2019).



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