

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.07.2019

CORAM :

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

AND

The Hon'ble Mr.JUSTICE M.DURAI SWAMY

W.P. No.13504 of 2019

D.Chithra .. Petitioner

-vs-

1.The Member Secretary,
Chennai Metropolitan Development
Authority, No.1, Gandhi Irwin Road,
Egmore, Chennai 600 008.

2.The Commissioner,
Greater Chennai Corporation,
Ripon Building, Chennai 600 003.

3.The Zonal Executive Engineer,
Zone VIII Anna Nagar, Door No.368,
Second Cross Street, Pullah Avenue,
Shenoy Nagar, Chennai 600 030.

4.K.R.Ravi Sankar @ Rajpa Ravi Sankar ... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the respondents 1 to 3 to consider and pass final orders regarding, seeking removal of unauthorized construction made in Flat No.AJ, 51/5 4th Street, 9th Main Road, Anna Nagar, Chennai 600040, by the 4th respondent, pursuant to the De-Occupation notice dated 19.04.2018 on merits and as per law within a time to be stipulated by this Court.

For Petitioner : Mr.L.Chandrakumar
For Respondents : Mr.P.S.Ganesh
Stdg. Counsel for R-1
: Dr.C.Ravichandran
Stdg. Counsel for RR-2 and 3
: Not ready in notice reg. R-4

* * * * *

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 Mr.P.S.Ganesh, learned Standing Counsel, who takes notice on behalf of respondent no.1 and Dr.C.Ravichandran, learned Standing Counsel, who takes notice for respondent nos.2 and 3.

2.The case of the petitioner is that unauthorised construction has been put up by the fourth respondent in Flat No.AJ, 51/5 4th Street, 9th Main Road, Anna Nagar, Chennai 600040 and hence he prayed that the said encroachment be removed.

3.The learned counsel for respondent nos.2 and 3 has filed a counter affidavit dated 18.06.2018 wherein it is stated that a locking and sealing and demolition notice dated 17.05.2018 under Section 57 read with Section 85 of the Tamil Nadu Town and Country Planning Act, 1971, was issued to respondent no.4. Thereafter, the learned counsel has filed a status report dated 16.07.2019 wherein it is stated that after expiry of the statutory period, de-occupation notice under the same provisions was issued on 12.02.2019 in relation to the unauthorised construction put up by the fourth respondent and on 15.07.2019, the said premises were locked and sealed by the officials of the Greater Chennai Corporation with the help of police protection.

4.Thus, it is seen that the concerned authority is taking steps in relation to the unauthorized construction, hence, no further orders are necessary. The writ petition is, accordingly, disposed of. No costs.

Sd/-

Assistant Registrar(CS VI)

//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,
Greater Chennai Corporation,
Ripon Building, Chennai 600 003.

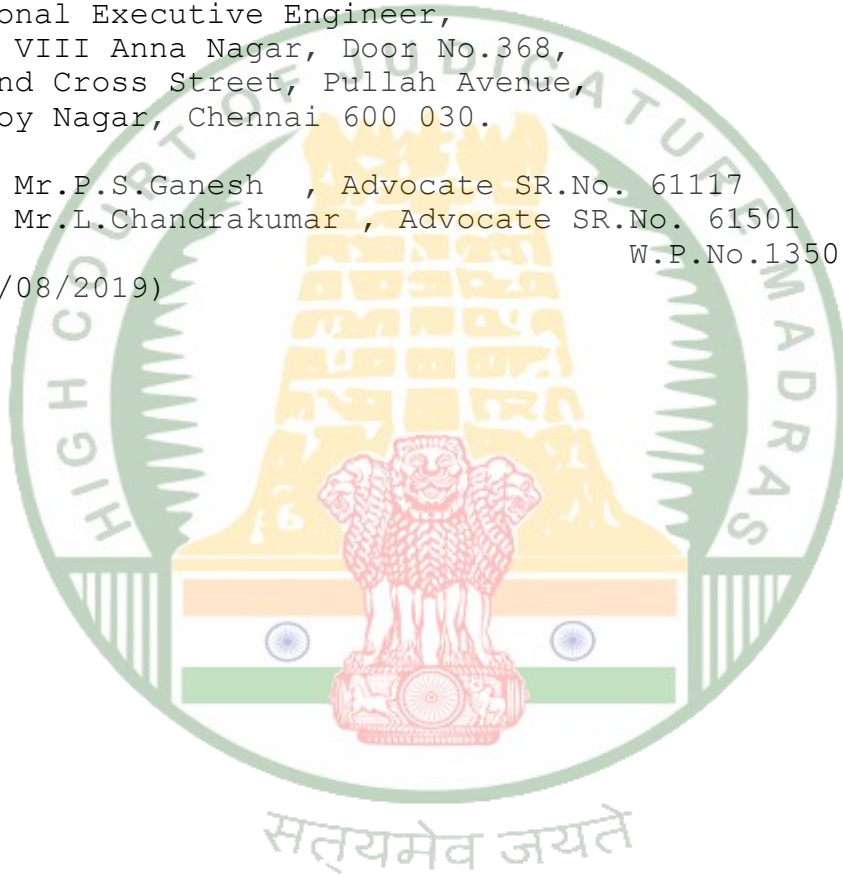
3.The Zonal Executive Engineer,
Zone VIII Anna Nagar, Door No.368,
Second Cross Street, Pullah Avenue,
Shenoy Nagar, Chennai 600 030.

+1cc to Mr.P.S.Ganesh , Advocate SR.No. 61117

+1cc to Mr.L.Chandrakumar , Advocate SR.No. 61501

W.P.No.13504 of 2019

A.SK(07/08/2019)



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