

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.01.2019

CORAM :

THE HON'BLE MRS.V.K.TAHILRAMANI, CHIEF JUSTICE

AND

The HON'BLE MR.JUSTICE M.DURAISWAMY

W.P. No.23282 of 2018

and

W.M.P.No.27167 of 2018

Thaika Ahmed Nubail

.. Petitioner

v.

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

2 The Executive Engineer
Zone-IX Corporation of Chennai
No.4, 4th Cross Street
Lake View Road
Chennai- 600 034.

3 Mr.Rafi Ahamed

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus, directing the first and second respondent to consider the complaint dated 12.07.2018 given by the petitioner with regard to gross violation of the Development Regulations in construction of the building by the third respondent and without obtaining the planning permissions or building permit from the first and second respondents at Door No.24/24, Mayor Sivashanmugam Street , Nungambakkam, Chennai-600 034 and to initiate actions against the wrong doers under the development control rules or according to appropriate laws available.

For Petitioner

: Mr.K.Shahul Hameed

For Respondents: Mr.Karthik Rajan - for R1
Mr.R.Arunmozhi - for R2
Mr.C.P.Palanichamy - for R3

O R D E R

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

The prayer of the petitioner is for a direction to be issued to the respondent Nos. 1 and 2 to consider the complaint dated 12.07.2018 in relation to the gross violation of the Development Regulations in construction of the building by the respondent No.3.

2. According to the petitioner, the construction was put up by the respondent No.3 without obtaining the planning permission from the respondent Nos.1 and 2. The premises in question is situated at Door No.24/24, Mayor Sivashanmugam Street, Nungambakkam, Chennai-600 034.

3. The learned counsel for the respondent Nos.1 and 2 stated that steps have been taken in relation to the construction put up by the respondent No.3. They have issued Locking & Sealing and Demolition Notice to the respondent No.3. De-occupation Notice under Sections 56 and 57 read with Section 85 of the Tamil Nadu Town and Country Planning Act, 1971, dated 30.11.2018 has also been issued to the respondent No.3.

4. Learned counsel for the respondent No.2 has filed a Status Report on behalf of the Greater Chennai Corporation, in which, the above facts are mentioned.

5. In this view of the matter, no further orders are necessary in the Writ Petition. The Writ Petition is disposed of No costs. Consequently, the connected miscellaneous petition is closed.

Rj

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

To

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

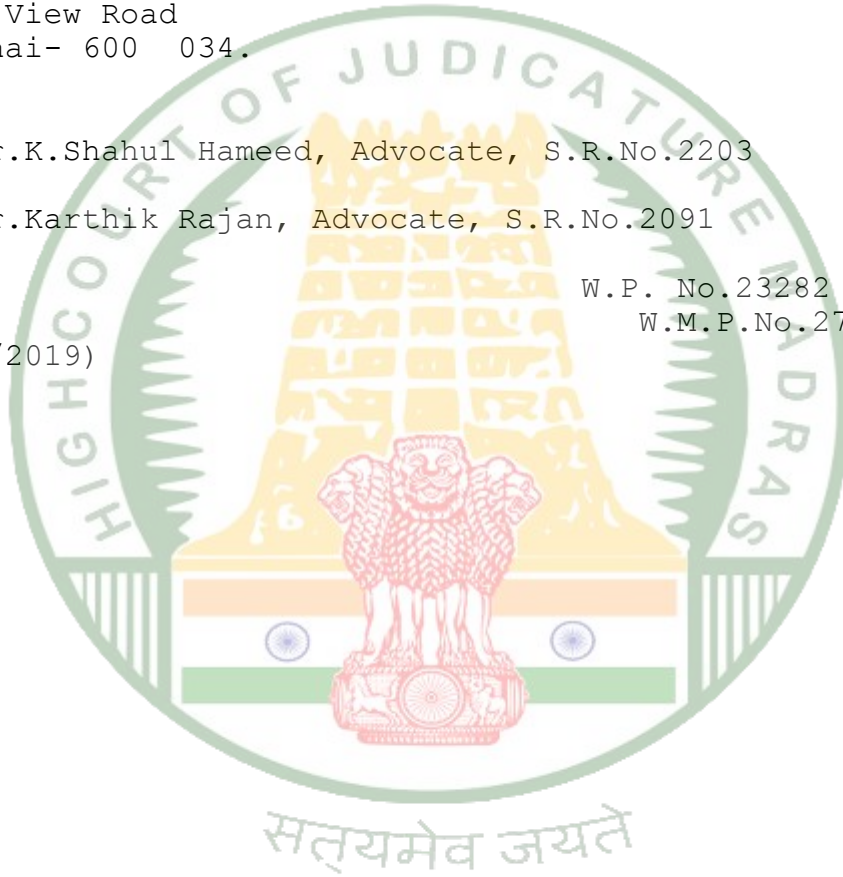
2 The Executive Engineer
Zone-IX Corporation of Chennai
No.4, 4th Cross Street
Lake View Road
Chennai- 600 034.

+1cc to Mr.K.Shahul Hameed, Advocate, S.R.No.2203

+1cc to Mr.Karthik Rajan, Advocate, S.R.No.2091

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kak(01/02/2019)



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