

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.12.2019

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH
and
THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

W.P.No.18354 of 2019

L.Krishnamoorthy

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Petitioner

versus

1.The Commissioner,
Corporation of Chennai,
Ripon Buildings,
Park Town,
Chennai - 600 003.

2.The Regional Deputy Commissioner (Central),
Chennai Corporation Office,
Shenoy Nagar,
Chennai - 600 030.

3.The Asst. Commissioner,
Zone 6, No.5, Anderson Road,
Ayanavaram,
Chennai - 600 023.

4.The Executive Engineer,
No.6, Ward 64,
No.5, Anderson Road,
Ayanavaram, Chennai - 600 023.

5.The Asst. Engineer,
Zone 6, Ward 64,
No.5, Anderson Road,
Ayanavaram, Chennai - 600 023.

6.Raja Rajeswari

...

Respondents

Common Prayer: Writ Petitions filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 1 to 5 to take immediate action in respect of the illegal and unauthorised construction done by the 6th respondent premises bearing plot no.7A, Anjugam 2nd Street, Kolathur, Chennai - 600 099, measuring 1284 sq.ft. comprised in T.S.No.36 Block No.52 of Kolathur Division, under relevant provision of Town and Country Planning Act and Section 256 of Madras City Municipal Corporation Act.

For Petitioner : Dr.C.S.Nandakumar

For Respondent Nos.1 to 5: Dr.C.Ravichandran
Standing Counsel for Corporation

For Respondent No.6 : Mr.S.Santhan

O R D E R

[Order of this Court was made by R.SUBBIAH, J.]

The petitioner has come up with the present Writ Petition for a mandamus, directing the respondents 1 to 5 to take immediate action in respect of the illegal unauthorised construction done by the sixth respondent in premises bearing Plot No.7A, Anjugam 2nd Street, Kolathur, Chennai - 600 099, measuring 1284 sq.ft. comprised in T.S.No.36 Block No.52 of Kolathur Division, under relevant provision of Town and Country Planning Act and Section 256 of Madras City Municipal Corporation Act.

2. Today, when the Petition is taken up for consideration, the learned Standing Counsel appearing for the respondents 1 to 5 / Corporation submitted that, the sixth respondent has already filed an appeal before the Housing and Urban Development Department and hence, the Corporation cannot initiate any action.

3. In view of the submission made by the learned Standing Counsel appearing for the respondents 1 to 5 / Corporation, this Writ Petition stands disposed of, with the following direction:-

At the time of hearing the appeal, the Housing and Urban Development Department may provide an opportunity to hear the objector i.e. the petitioner herein and dispose of the same, in accordance with law.

No costs.

Sd/-

Assistant Registrar(CO)

//True copy//

Sub Assistant Registrar

sri

To

1.The Commissioner,
Corporation of Chennai,
Ripon Buildings,
Park Town, Chennai - 600 003.

2.The Regional Deputy Commissioner (Central),
Chennai Corporation Office,
Shenoy Nagar,
Chennai - 600 030.

3.The Asst. Commissioner,
Zone 6, No.5, Anderson Road,
Ayanavaram,
Chennai - 600 023.

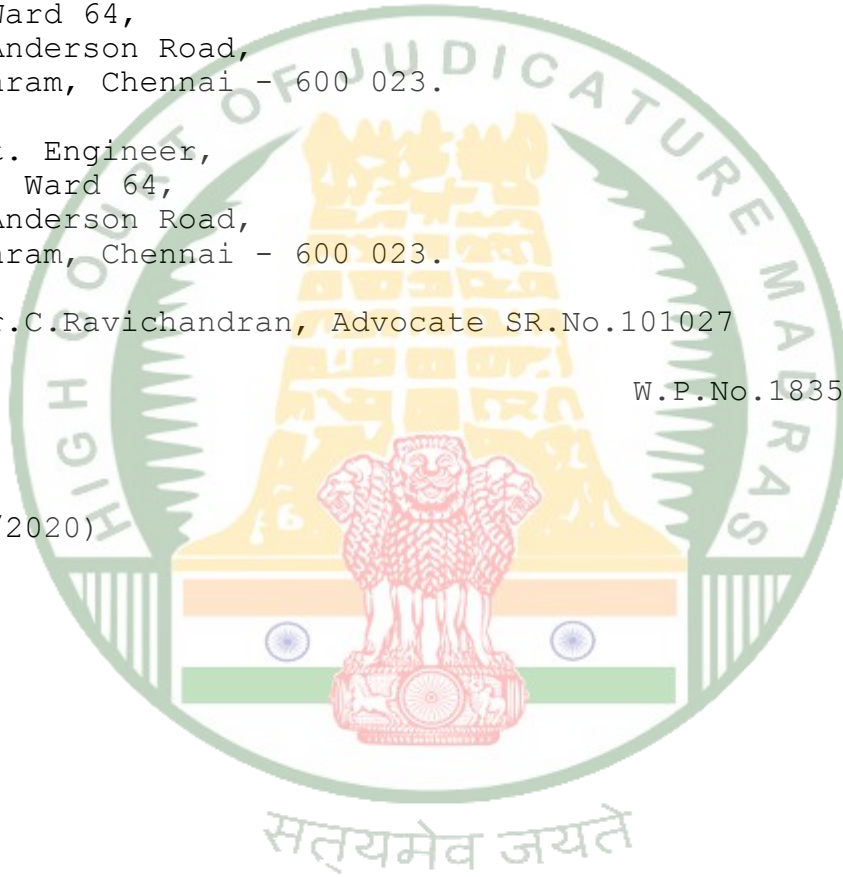
4.The Executive Engineer,
No.6, Ward 64,
No.5, Anderson Road,
Ayanavaram, Chennai - 600 023.

5.The Asst. Engineer,
Zone 6, Ward 64,
No.5, Anderson Road,
Ayanavaram, Chennai - 600 023.

+1cc to Mr.C.Ravichandran, Advocate SR.No.101027

W.P.No.18354 of 2019

RK(CO)
GMY(27/01/2020)



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