

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.07.2019

CORAM

THE HON'BLE MRS.VIJAYA K.TAHILRAMANI, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE M.DURAIWAMY

W.P.No.24101 of 2018

M.Thiagarajan

.. Petitioner

Vs

1 The Member Secretary
Chennai Metropolitan Development Authority
No.1, Gandhi Irwin Road
Chennai - 8.

2 The Commissioner
Tambaram Municipality
West Tambaram
Chennai - 45.

3 S.Dharmaraj

.. Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing respondents 1 and 2 to take appropriate action on the petitioner's representation dated 24.07.2018 within a stipulated time.

For Petitioner : Mr.Prasanth Nadaraj
for M/s.AL.Gandhimathi

For Respondents : Mr.Karthick Rajan
for 1st respondent

Mr.P.Srinivas
for 2nd respondent

Ms.Udita Joshi
for M/s.Paul and Paul
for 3rd respondent

ORDER

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

Heard Mr.Prasanth Nadaraj, learned counsel for the petitioner; Mr.Karthick Rajan, learned counsel for the first respondent; Mr.P.Srinivas, learned counsel for the second respondent and Ms.Udita Joshi, learned counsel for the third respondent.

2. The case of the petitioner is that, adjacent to his house, the third respondent has put up construction at No.7/2, Periyar Street, Athi Nagar, East Tambaram, Chennai - 600 059, in violation of the Rules of the Chennai Metropolitan Development Authority and without any proper approved plan and permission.

3. The learned counsel for the second respondent, i.e., the Commissioner, Tambaram Municipality, has tendered an affidavit of the second respondent, wherein it is stated that major part of the said unauthorized structure put up by the third respondent was demolished on 29.9.2014 and, thereafter, the remaining structure was also demolished.

4. The learned counsel for the petitioner stated that the averments in the counter affidavit filed by the second respondent be recorded and the petition be closed.

In view of the above, no further orders are required in this petition and the same is, accordingly, closed. No costs.

Sd/-

Assistant Registrar (CS-V)

//True Copy//

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Sub Assistant Registrar

To:

1 The Member Secretary
Chennai Metropolitan Development Authority
No.1, Gandhi Irwin Road, Chennai - 8.

2 The Commissioner, Tambaram Municipality,
West Tambaram, Chennai - 45.

+1 cc to M/s.AL.Gandhimathi, Advocate, S.R.No.65552
+1 cc to M/s.Karthick Rajan, Advocate, S.R.No.66131
+1 cc to M/s.P.Srinivas, Advocate, S.R.No.66094
+1 cc to M/s.Paul & Paul, Advocate, S.R.No.66465

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NRJK(CO)
SSM(26/08/2019)