

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.07.2019

CORAM :

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

AND

The HON'BLE MR.JUSTICE M.DURAIWAMY

W.P.No.25473 of 2014
and M.P.No.2 of 2014

1.R.Kannan

2.K.Shanthi

... Petitioners

Vs.

1.The District Collector,
Kancheepuram District,
Kancheepuram.

2.The Assistant Director/ Member Secretary,
Local Town and Country Planning Authority,
Plot No.1, Vallalar Street,
Min Nagar (Stadium Backside),
Kancheepuram.

3.The Tahsildar,
Kancheepuram.

4.The Commissioner,
Kancheepuram Municipality,
Kancheepuram.

5.R.Ramachandran

6.R.Periyadurai

7.The Junior Engineer (O & M),
TANGEDCO, Origai, Kancheepuram.

... Respondents

(R7 impleaded vide order dated 14.02.2018)

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of certiorarified mandamus calling for the records of the 4th respondent culminated in the issue of impugned plan approval in Ka.A.No.F1/157/2013 and consequent building permission in Ka.Ma.No.F2/225/2013 dated 22.10.2013 respectively, quash the same and direct the respondents 2 & 4 to demolish the illegal building constructed in S.No.592/1C1A1 and as per Patta No.1218, S.No.592/10 (as per Sale Deed S.No.592/1) in Sevilimedu Village, Kancheepuram District and restore the same to its original position.

For Petitioner : Mr.P.P.Shanmugasundaram

For Respondents : Mr.S.Kamalesh Kannan,
Government Advocate (R1 to R3)
Mr.A.Vimal Raj
for Mr.G.B.Rajesh (R4)

Mr.Govind Chandrasekar (R5 & R6)

R7 - no appearance

ORDER

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

Heard the learned counsel appearing for the petitioner, the learned Government Advocate, Mr.S.Kamalesh Kannan for the respondent nos.1 to 3, Mr.A.Vimal Raj, learned counsel for respondent no.4 and Mr.Govind Chandrasekar, learned counsel for respondent nos.5 & 6.

2.The contention of the petitioner is that the respondent nos.5 & 6

have put up illegal structure in S.No.592/1C1A1 and as per Patta No.1218, S.No.592/10 (as per Sale Deed S.No.592/1) in Sevilimedu Village, Kancheepuram District, hence, he prays that action be taken against the illegal structure.

3.The learned counsel for the Kancheepuram Municipality has filed a Status Report wherein it is stated that notices under Sections 56 & 57 of the Town and Country Planning Act, 1971, were issued to the respondent nos.5 & 6 and also to the tenants on 31.01.2018 and thereafter, on 20.02.2018, second notice was issued and thereafter, finally on 01.03.2018, the premises were locked and sealed.

4.Thus, it is seen that the concerned authority is taking action in relation to the illegal structure. Hence, no further orders are necessary at this stage. The Writ Petition is closed. No costs. Consequently, the connected miscellaneous petition is also closed.

Index : Yes/No
Internet : Yes
Speaking /Non Speaking Order
va

(V.K.T., C.J.) (M.D., J.)
15.07.2019

To

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Kancheepuram District,
Kancheepuram.
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Plot No.1, Vallalar Street,
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Kancheepuram.
- 3.The Tahsildar,
Kancheepuram.
- 4.The Commissioner,
Kancheepuram Municipality,
Kancheepuram.
- 5.The Junior Engineer (O & M),
TANGEDCO, Origai, Kancheepuram.



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THE HON'BLE CHIEF JUSTICE
AND
M. DURAISWAMY, J.

va



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