

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.01.2019

CORAM

THE HON'BLE MRS.V.K.TAHILRAMANI, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.29461 of 2018

Prabu Shankar

.. Petitioner

Vs.

1. The Commissioner
Greater Chennai Corporation
Rippon Building
No.1131, EVR Periyar Salai
Park Town, Chennai - 600 003.

2. The Executive Engineer cum
Public Information Officer
Corporation of Chennai
Zone-XII, Division 160
Alandur, Chennai - 600 016.

3. K.Gangadhar Shankar

4. T.Sivagami

... Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of mandamus directing the first respondent to issue the planning approval and sanction letter and consequently direct the first respondent to inspect the property at 6/82A, Sowri Street, Alandur, Chennai - 600 016 and to take appropriate action against respondents 3 and 4 for the illegal and unauthorised construction and also blocking the passage for my access, made by them without plan approval and sanction.

For Petitioner : Mr.V.Jaiharisudhan

For Respondents : Mr.V.C.Selvasekaran
for respondents 1 and 2

Mr.T.Ramachandran
for respondents 3 and 4

ORDER

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

The learned counsel for the petitioner has limited his prayer to the extent that a direction be issued to the first respondent, i.e., the Commissioner, Greater Chennai Corporation, to take appropriate action in relation to illegal and unauthorised construction put up by respondents 3 and 4.

2. The learned counsel for respondents 1 and 2 has tendered an affidavit, wherein it is stated that the site in question was inspected and after inspecting the site, Stop Work Notice/Notice calling for approved plan under Section 56(1) read with Section 85 of the Tamil Nadu Town and Country Planning Act, 1971 was issued on 4.12.2018. Pursuant to the said notice, the third respondent has submitted approved plan and after scrutinizing the same, many deviations/ unauthorized construction were noted.

3. It is further stated in the affidavit that in relation to the deviations/unauthorized construction, further action was taken against the third respondent by issuing a Lock and Seal and Demolition Notice dated 24.12.2018 under Section 57 read with Section 85 of the Tamil Nadu Town and Country Planning Act, 1971. It is also stated that further action in relation to the said deviations/unauthorized construction will be taken as per the provisions of the Tamil Nadu Town and Country Planning Act, 1971. Thus, it is seen that the respondent Corporation is taking action in relation to the deviations/unauthorized construction put up by the third respondent.

4. In view of the counter affidavit filed by the respondent Corporation, no further directions are necessary in this writ petition. This writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

sasi

To

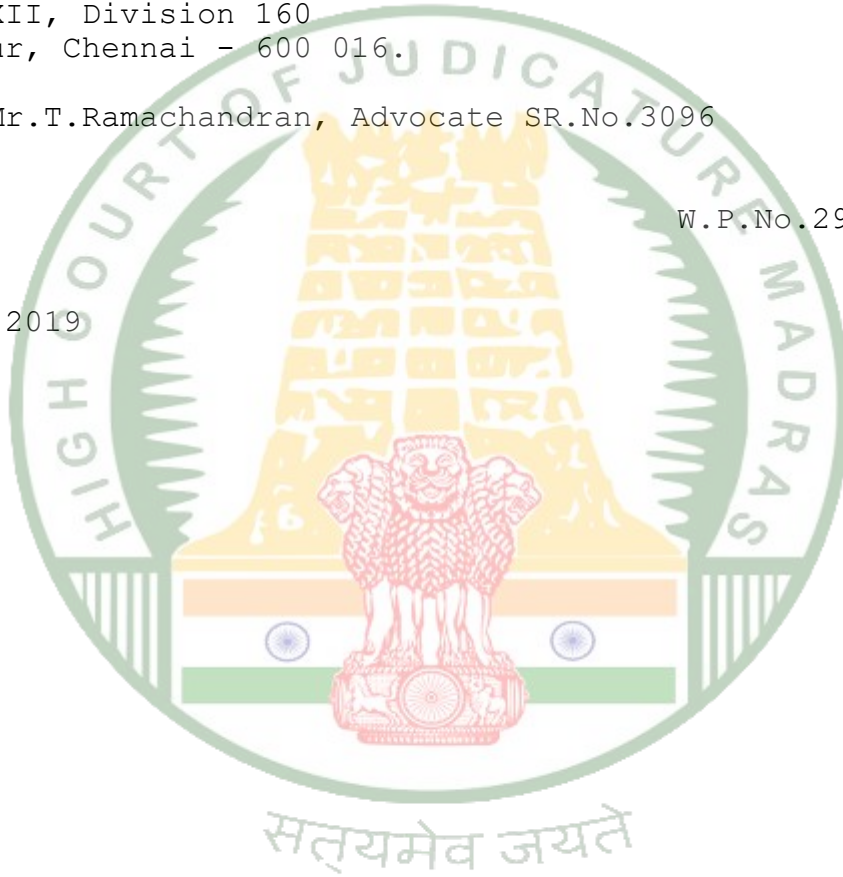
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+1 cc to Mr.T.Ramachandran, Advocate SR.No.3096

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KJ(CO)
CSL/04.02.2019



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