

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 21.02.2019
CORAM :
The Hon'ble Mrs.V.K.TAHILRAMANI, CHIEF JUSTICE

AND

The Hon'ble Mr.JUSTICE M.DURAI SWAMY

W.P. No.32724 of 2018

A.Varatharaj

.. Petitioner

-vs-

- 1.The State of Tamil Nadu,
Rep. by its Secretary,
Housing & Urban Development Dept.,
Fort St. George, Chennai 600 009.
- 2.The Commissioner,
Corporation of Greater Chennai,
Chennai 600 003.
- 3.The Member Secretary,
Chennai Metropolitan Development
Authority, Egmore, Chennai 600 008.
- 4.The Executive Engineer (Enforcement)
Zone-VI, Corporation of Chennai,
No.5, Anderson Road, Ayanavaram,
Chennai 600 023.

5.A.Latha

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the respondents 2 and 3 to consider the petitioner's representations dated 21.12.2017 and 05.01.2018 sent for taking necessary action against the 5th respondent for violating the construction of the building bearing No.1, Venkateswara Nagar, Kattabomman Street, Peravalur, Chennai 600 082, without following the rules and regulations as formulated by respondents 1 and 4.

For Petitioner : Mr.R.Thanjan

For Respondents: Mr.V.Jayaprakash Narayanan
Govt. Pleader (i/c.) for R-1
: Mr.R.Arunmozhi
Stdg. Counsel for RR-2 and 4
: Mr.Karthik Rajan for R-3
: Mr.S.Poovendhan for R-5

O R D E R

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

Heard the learned counsel for the petitioner, and Mr.V.Jayaprakash Narayanan, learned Government Pleader (i/c.) appearing for respondent no.1, as also Mr.R.Arunmozhi, learned Standing Counsel appearing for respondent nos.2 and 4, Mr.Karthik Rajan for respondent no.3 and Mr.S.Poovendhan for respondent no.5.

2.The prayer of the petitioner is that a direction be issued to respondent nos.2 and 3 for violating the building approval while constructing the building bearing No. 1, Venkateswara Nagar, Kattabomman Street, Peravalur, Chennai 600 082. According to the petitioner, the building was constructed without following the rules and regulations as formulated by respondent nos.1 and 4.

3.The counter affidavit of respondent no.4 Corporation shows that action has been taken in relation to the said structure by issuing a lock and sealing and demolition notice under Sections 57 read with Section 85 of the Tamil Nadu Town and Country Planning Act, 1971. The said notice is dated 21.01.2019.

In view of the fact that the concerned authority is taking action in relation to the unauthorised construction, no further directions are necessary.

The writ petition is, accordingly, disposed of. No costs.

Sd/-

Assistant Registrar (CS-V)

//True Copy//

सत्यमेव जयते

Sub Assistant Registrar

sra

To

1.The State of Tamil Nadu,
Rep. by its Secretary,
Housing & Urban Development Dept.,
Fort St. George, Chennai 600 009.

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2.The Commissioner,
Corporation of Greater Chennai,
Chennai 600 003.

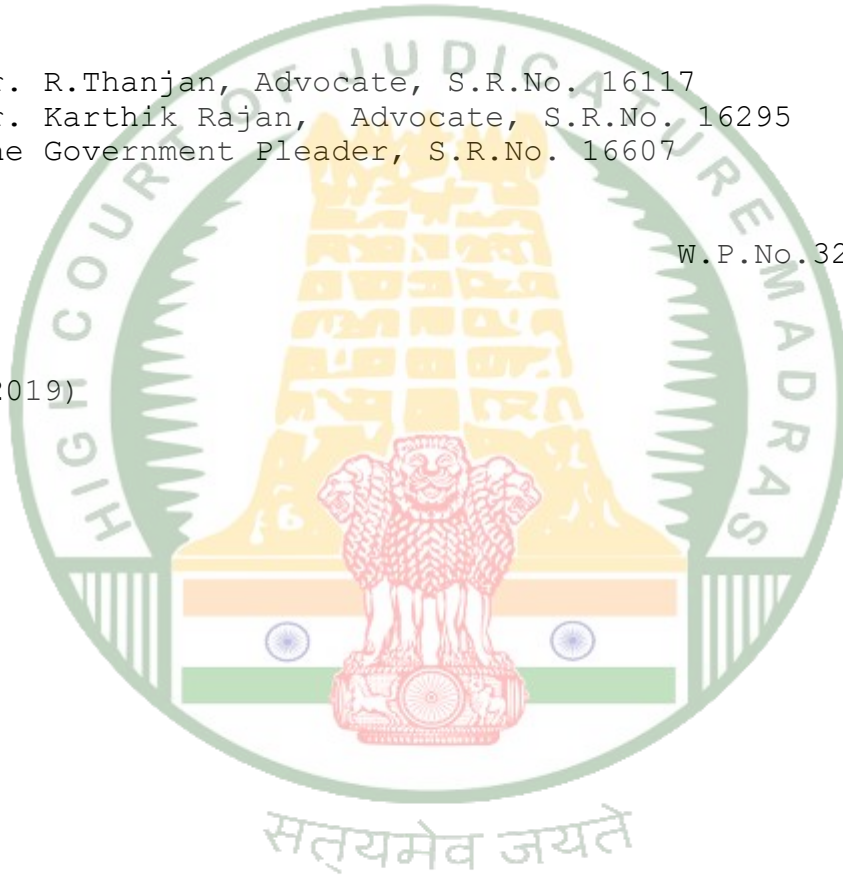
3.The Member Secretary,
Chennai Metropolitan Development
Authority, Egmore, Chennai 600 008.

4.The Executive Engineer (Enforcement)
Zone-VI, Corporation of Chennai,
No.5, Anderson Road, Ayanavaram,
Chennai 600 023.

+1cc to Mr. R.Thanjan, Advocate, S.R.No. 16117
+1cc to Mr. Karthik Rajan, Advocate, S.R.No. 16295
+1cc to the Government Pleader, S.R.No. 16607

W.P.No.32724 of 2018

VSN II (CO)
GN(12/03/2019)



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