

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 10.04.2019

CORAM

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

W.P.No.32981 of 2018

1 Smitha Arons

2 Shruti Reddy

Both rep. by their Power of Attorney
Agent, Pramod Ranjan
No.47, Mahatma Gandhi Road
III Floor, Paramount Plaza
Nungambakkam
Chennai - 600 034.

... Petitioners

Vs

1 The Commissioner
Greater Chennai Corporation
Ripon Building
Chennai - 600 003.

2 The Member Secretary
Chennai Metropolitan Development Authority
No.1, Gandhi Irwin Road
Egmore, Chennai - 600 008.

3 The Zonal Executive Engineer
Zone-IX, Corporation of Chennai
No.1, Lake Area, 4th Cross Street
Nungambakkam
Chennai - 600 034.

4 P.Pradmuna Reddy

... Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of mandamus directing respondents 1 and 3 to take action in accordance to the letter of 2nd Respondent dated 19.9.2018 on the unauthorised construction as admitted by the 3rd Respondent herein in their letter dated 19.9.2018 so that the entire unauthorised construction be removed or demolished.

For Petitioners : Mr.T.Krishna Bhagavat

For Respondents : Mr.V.C.Selvasekaran
for respondents 1 and 3

Mr.Karthik Rajan
for 2nd respondent

Mr.Richardson Wilson
for M/s.Wilson Associates
for 4th respondent

ORDER

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

Heard Mr.T.Krishna Bhagavat, learned counsel for the petitioners; Mr.V.C.Selvasekaran, learned counsel for respondents 1 and 3; Mr.Karthik Rajan, learned counsel for the second respondent and Mr.Richardson Wilson, learned counsel for the fourth respondent.

2. The petitioners are seeking directions to respondents 1 and 3 to take action in relation to the unauthorized construction put up by the fourth respondent.

3. The learned counsel for respondents 1 and 3 has tendered a counter affidavit, wherein it is stated that the premises was inspected and thereafter Locking and Sealing and Demolition Notice was issued to the fourth respondent. The said notice, which is dated 25.2.2019, was issued under Sections 56 and 57 read with Section 85 of the Tamil Nadu Town and Country Planning Act, 1971.

4. Thus, it is seen that the authorities are taking action against the unauthorized construction put up by the fourth respondent.

In view of the above, no further orders are required to be passed at this stage. The writ petition is disposed of accordingly. No costs. Consequently, W.M.P.No.9030 of 2019 is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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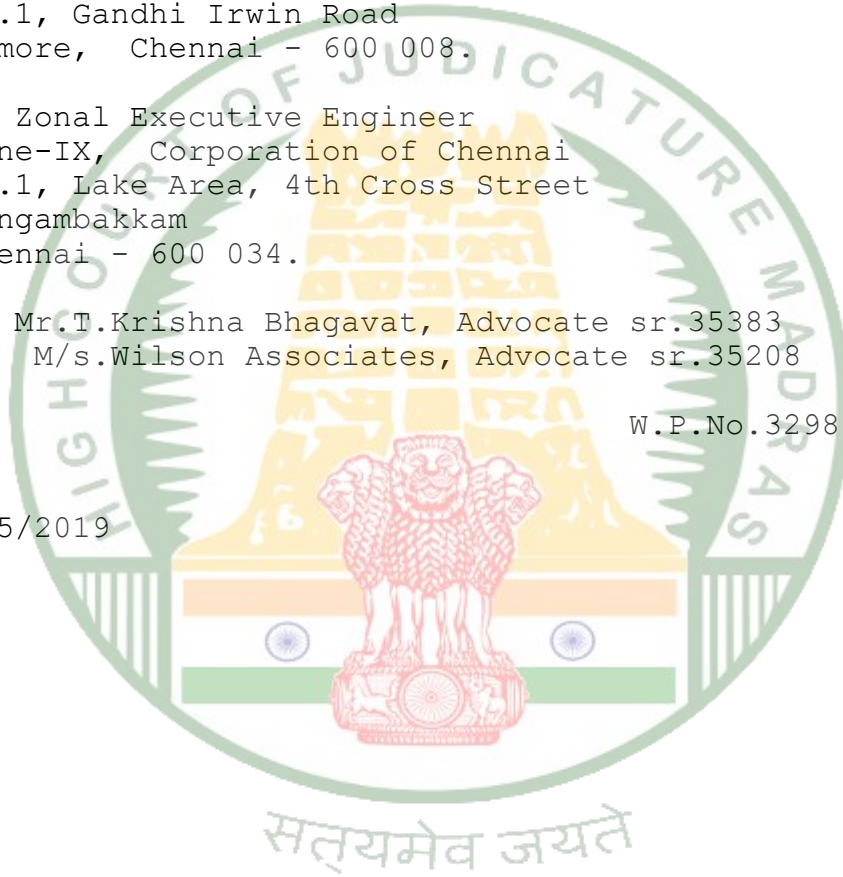
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+1cc to Mr.T.Krishna Bhagavat, Advocate sr.35383

+1cc to M/s.Wilson Associates, Advocate sr.35208

W.P.No.32981 of 2018

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nr 08/05/2019



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