

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.10.2020

CORAM

THE HON'BLE MR.JUSTICE M.M.SUNDRESH  
and  
THE HON'BLE MRS.JUSTICE R.HEMALATHA

W.P.No.6014 of 2020  
and W.M.P.No.7055 of 2020

Sree Ram Arvind Flat Owners Association  
Rep. by its Secretary,  
Mr.R.Chandra Mouliswaran,  
Reg.No.204/2019, No.356/218,  
Avvai Shanmugam Salai,  
Gopalapuram, Chennai - 86. ... Petitioner

Vs

1. Chennai Metropolitan Development Authority  
Rep. by its Member Secretary,  
Thalamuthu Natarajan Building,  
No.1,Gandhi Irwin Road,  
Egmore, Chennai - 08.
2. Corporation of Chennai,  
Rep. by its Commissioner,  
Rippon Buildings, Chennai - 03.
3. The Zonal Officer,  
Zone - 09, Greater Chennai Corporation,  
No.4, Lake View Area,  
Nungambakkam, Chennai - 34.
4. Sree Ram Builders,  
Rep. by Mr.Ram Pramuk Reddy,  
44/51, Tambiah Road, West Mambalam,  
Chennai - 33. ... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing respondents 1 to 3 to take appropriate action to remove the illegal office room measuring 900 sq ft constructed by the 4<sup>th</sup> respondent at stilt floor, Door No.356(218), Avvai Shanmugam Salai, Gopalapuram, Chennai - 86 and further direct the 4<sup>th</sup> respondent to comply with the condition imposed by the Housing and Urban Development (UD-V) Department G.O. (3D) No.44

dated 11.09.2015 and to obtain completion certificate from the 1<sup>st</sup> respondent.

For Petitioner .. Mr.S.Kumar  
For Respondents .. Mr.Karthik Rajan for R1  
Mr.K.Raja Srinivas for R2 and R3  
No appearance for R4

ORDER

(Order of the Court was made by M.M.SUNDRESH, J.)

The petitioner has come forward to file this writ petition seeking appropriate action against the fourth respondent for the unauthorized construction made.

2. Heard the learned counsel appearing for the parties.

3. When the matter is taken up for hearing, the learned counsel appearing for the first respondent submitted that the construction is unauthorized.

4. Mr.Raja Srinivas, learned counsel appearing for respondents 2 and 3 submitted that pre-notice has already been issued and the consequential action will be taken in this regard, particularly in view of the submission made by the learned counsel appearing for the first respondent.

5. Despite service of notice and the name of the fourth respondent having been printed in the cause list, there is no representation on behalf of the fourth respondent.

6. In light of the aforesaid facts, we direct the third respondent to proceed further in accordance with law pursuant to the pre-notice issued.

7. The writ petition stands disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

mmi/ssm

To

1. The Member Secretary,  
Chennai Metropolitan Development Authority  
Thalamuthu Natarajan Building,  
No.1, Gandhi Irwin Road,  
Egmore, Chennai - 08.
2. The Commissioner,  
Corporation of Chennai,  
Rippon Buildings, Chennai - 03.
3. The Zonal Officer,  
Zone - 09, Greater Chennai Corporation,  
No.4, Lake View Area,  
Nungambakkam, Chennai - 34.

+lcc to Mr.Karthik Rajan, Advocate, Sr.No.32590  
+lcc to Mr.K.Raja Shrinivas, Advocate, Sr.No.32531

W.P.No. 6014 of 2020

NRJK (CO)  
GS (21/10/2020)



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