

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.01.2020

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH
and
THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Writ Petition No.1144 of 2018
and
W.M.P.No.1422 of 2018

M.J.Uday
S/o.Late Jayaraj ... Petitioner

Vs

1.The Chennai Metropolitan Development
Authority,
represented by its Chairman,
Thalamuthu Natarajan Building,
No.1, Gandhi Irwin Road,
Egmore, Chennai - 600008.

2.Corporation of Chennai,
represented by its Commissioner,
Ripon Building,
Chennai - 600003.

3.Nirmala

4.Maya
D/o.Nirmala

5.K.Sekar

6.K.Suresh

7.K.Pratap

8.Sandhya Mohan
W/o.Late K.Mohan

9.Pavithra
D/o.Late K.Mohan

10.Apollo Hospital Enterprises Ltd.,
Door No.2 & 3, Rathna Nagar,
Teynampet, Chennai - 600018.

[R3 to R10 impleaded as per order dated
25.01.2018 in W.M.P.No.1792/2018 in

<https://hcservices.ecourts.gov.in/hcservices/>
W.P.No.1144/2018]

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing respondents to take appropriate action u/s.56 of the Town and Country Planning Act for locking, sealing and demolishing the building unauthorizedly and illegally constructed at Door No.2 and 3, Rathna Nagar, Teynampet, Chennai - 600018.

For Petitioner : M/s.G.Vijayanand Associates

For Respondents: Mr.S.Thiruvengadam [R1]
Mr.K.Raja Shrinivas [R2]
Ms.Priya Anand [R3 & R4]
Mr.K.Mohanamurali [R5]
Mr.Sanjay Ramaswami [R6 & R7]
Mrs.J.Kalvi [R8 & R9]
M/s.Maimoona Badsha [R10]

O R D E R

(Order of the Court was made by R.SUBBIAH, J)

Petitioner has filed the present petition seeking issuance of a Writ of Mandamus directing respondents to take appropriate action u/s.56 of the Town and Country Planning Act for locking, sealing and demolishing the building unauthorizedly and illegally constructed at Door No.2 and 3, Rathna Nagar, Teynampet, Chennai - 600018.

2. Heard learned counsel for petitioner and learned counsel for respondents.

3. It is the case of petitioner that the property situated at Door Nos.2 and 3, Rathna Nagar, Teynampet, Chennai, is located in a narrow 30 feet road, wherein one plus three building measuring about 25000 sq.ft. approximately has been constructed and was leased out to Apollo Hospital Enterprises Ltd. The said building was constructed without any open space/set back space in violation of the Town and Country Planning Act r/w Development Control Rules and Chennai City Corporation Act, 1919. Hence, the present petition has been filed seeking the aforesaid relief.

4. Learned counsel for first respondent/CMDA submits that already action has been initiated by issuing notice to the concerned parties and they will proceed further in accordance with law. The said submission is recorded.

In the aforesaid circumstance, nothing survives for further adjudication. Accordingly, the Writ Petition is closed. No costs. Connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

gm
To

1.The Chairman,
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Building,
No.1, Gandhi Irwin Road,
Egmore, Chennai - 600008.

2.The Commissioner,
Corporation of Chennai,
Ripon Building,
Chennai - 600003.

+1cc to Mr.Sanjay Ramaswami , Advocate SR.No. 7423

+1cc to Mr.S.Thiruvengadam , Advocate SR.No. 7864

+1cc to Mr.Vijay anand , Advocate SR.No. 7905

Writ Petition No.1144 of 2018

A.SK(11/03/2020)

सत्यमेव जयते
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