

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.09.2020

CORAM

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

Writ Petition No.10426 of 2020

K.Ashwin

... Petitioner

-Versus-

1. The Commissioner,
Corporation of Chennai,
Ripon Building, Chennai 600003.
2. The Assistant Commissioner,
Corporation of Chennai,
Zone XII, Alandur, Chennai 600 016.
3. The Chennai Metropolitan Development Authority,
Rep. By its Member Secretary,
Thalamuthu Natarajan Building,
No.1, Gandhi Irwin Road,
Egmore, Chennai 600 008.
4. R.Senthil Kumar
5. Mrs.Mohana Senthil Kumar

... Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus forbearing the respondents 1 and 2 from allowing and permitting the respondents 4 and 5 from starting the construction activities at property bearing Door No.9/5, Thadikarasamy Kovil Street, Alandur, Chennai 600 016 without proper approval from the respondents 1 and 2.

For Petitioner : Mr.T.Ramachandran

For Respondents: Mr.K.Raja Shrinivas for RR1 and 2

Mr.P.S.Ganesh for R3

Mr.T.N.Rajagopalan for R4 & 5

ORDER

[Order of the Court was made by M.M.SUNDRESH.J.,]

The petitioner, who questions the title of the respondents 4 and 5 by way of filing a suit in O.S.No.386 of 2019 on the file of the District Munsif, Alandur, for declaration and consequential injunction, has come forward to file this writ petition on the averment that the constructions activities are going on without following the appropriate approval.

2. From the counter affidavit filed by the respondents 4 and 5, it appears that the 1st respondent has issued a building permission on 30.06.2020 in Ka.No.02233/2020 dated 30.06.2020. In such view of the matter, we do not find any merit in this writ petition and the same stands closed. If the petitioner decides to challenge the permission, he may do so.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Commissioner, Corporation of Chennai,
Ripon Building, Chennai 600003.
2. The Assistant Commissioner,
Corporation of Chennai,
Zone XII, Alandur, Chennai 600 016.
3. The Member Secretary,
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Building,
No.1, Gandhi Irwin Road,
Egmore, Chennai 600 008.

+1cc to Mr.K.Raja Shrinivas, Advocate, Sr.No.28881
+1cc to Mr.T.N.Rajagopalan, Advocate, Sr.No.28616

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sr (co)

rr ii (29/09/2020)