

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.09.2020

CORAM

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

W.P.No. 11456 of 2020
and W.M.P.No. 13981 of 2020

A.Gajaraj ... Petitioner

Vs.

1. The Commissioner,
Corporation of Chennai,
Rippon Buildings, Chennai.

2. The Executive Engineer,
Zone VI, Corporation of Chennai,
No.5, Anderson Street,
Ayanavaram, Chennai - 23.

3. The Assistant Engineer,
Corporation of Chennai,
Ward No.70, No.13/33,
Bharathi Main Road,
Perambur, Chennai - 11.

4. The Inspector of Police,
Law and Order,
K1 Sembiam Police Station,
Chennai - 11.

5. Selvajothi

... Respondents

Petition under Article 226 of the Constitution of India
praying for a Writ of mandamus directing the respondents 1 to 3
to demolish the unauthorized construction being put up by the
fifth respondent in the second floor of the building situated at
Door No.117/52, Madhavaram High Road, Perambur, Chennai - 11.

For Petitioner .. Mr.A.E.Ravichandran

For Respondents .. Mr.Raja Srinivas for R1 to R3
Ms.R.J.Radhika,
Govt. Advocate for R4
Ms.Selvajothi - party in person
for R5

ORDER

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

Seeking a direction to respondents 1 to 3 to demolish the unauthorized construction being put up by the fifth respondent in the second floor of the building situated at Door No.117/52, Madhavaram High Road, Perambur, Chennai - 11, the present writ petition has been filed.

2. Heard Mr. A.E.Ravichandran, learned counsel appearing for the petitioner, Mr.Raja Srinivas learned counsel appearing for respondents 1 to 3, Ms.R.J.Radhika, learned Government Advocate for the fourth respondent and Ms.Selvajothi - party in person/R5.

3. The petitioner and the fifth respondent are residing in the same building. According to the petitioner, the fifth respondent is both living and thereafter put up unauthorized construction contrary to the approved plan. Though both the learned counsel appearing for the petitioner and the fifth respondent/party-in-person made submissions on merit, in view of the statement made by the learned counsel appearing for respondents 1 to 3 that action has already been initiated against both the petitioner and the fifth respondent for the alleged violation, we do not wish to pass any positive order except by directing respondents 1 to 3 to proceed further in accordance with law.

4. The writ petition stands closed accordingly. However, we make it clear that the water connection to the building in question cannot be disturbed or disconnected either by the petitioner or the fifth respondent. If it is disconnected already, the same shall be restored. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/--

Assistant Registrar

// True Copy//

Sub Assistant Registrar

mmi/ssm

To

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+1cc to Mr.K.Rajashrinivas, Advocate, Sr.No.30361

W.P.No. 11456 of 2020

KK(CO)
GS(20/10/2020)



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