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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 07.10.2021

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THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM  
and  
THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.P.No.3379 of 2021

Jayanthi Janardhanan

... Petitioner

-vs-

1. The Commissioner  
Greater Chennai Corporation  
Ripon Building, Chennai - 600 003.
2. Zonal Officer, Zone-XI  
Greater Chennai Corporation  
Chennai - 600 087.
3. The Executive Engineer, Zone-XI  
Greater Chennai Corporation  
No.33, Arcot Road, Valasarawakkam  
Chennai - 600 087.
4. The Assistant Executive Engineer,  
Unit-32, Zone-XI  
Greater Chennai Corporation  
No.33, Arcot Road, Valasarawakkam  
Chennai - 600 087.
5. The Assistant Engineer  
Division-143  
Greater Chennai Corporation  
Sriram Nagar Mogappair West  
Chennai - 600 037.
6. Jayaraman
7. Vasudevan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the official respondents 1 to 5 to take appropriate action as against the unauthorized constructions being put up by the 6<sup>th</sup>



and 7<sup>th</sup> respondents in accordance with the provisions of the Tamil Nadu Town and Country Planning Act, 1971 (Tamil Nadu Act., 35 of 1972 as amended by Act 61 of 2008), to demolish the unauthorized constructions being put up in violation of the original sanctioned plan at Plot No.115 & Plot No.117A, S&P Garden, 4<sup>th</sup> Cross Street, Nolambur, Chennai - 600 095.

For petitioner : Mr.Abishek Murthy  
for Mr.A.Ashwin Kumar

For respondents : Mr.K.Raja Srinivas,  
Standing Counsel for Corporation  
For RR1 to 5

Mr. Sharath Chandran  
For R6

Mr.B.Damodaran  
For R7

#### ORDER

(Order of the Court was made by K.KALYANASUNDARAM, J.,)

The petitioner has come up with this writ petition, seeking direction to the respondents 1 to 5 to take action for the unauthorised construction put up by the respondents 6 and 7.

2.Mr.K.Raja Srinivas, learned Standing Counsel appearing for the respondents 1 to 5 would state that the respondents have already issued a letter to the private respondents, for production of approved plan and thereupon issued lock and seal notice and consequently issued de-occupation notice. According to the learned counsel, since the official respondents have already taken action based on the representation of the petitioner, the prayer sought for in this writ petition has become infructuous.

3.Mr.Abishek Murthy representing Mr.A.Ashwin Kumar, learned counsel for the petitioner would state that despite of the order of the official respondents, the private respondents have already completed construction of building and no effective steps have been taken to implement the orders of the official respondents.

4.Considering the fact that the official respondents have already initiated action, based on the representation of the



petitioner, we are of the considered opinion that the prayer sought for in this writ petition has become infructuous.

5. In that view, the writ petition stands dismissed as infructuous. No costs.

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Sd/-  
Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

Jer

To

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KV(CO)  
SU(02/11/2021)