

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 01.04.2021
CORAM :
THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY
W.P.No.8382 of 2021

M.Magesh

...

Petitioner

Vs.

1. The Commissioner of Thiruverkadu Municipality
Thiruverkadu Municipality
Thiruverkadu
Chennai 600 077.
2. The Principal Secretary
Department of Housing and Urban Development
Secretariat
Chennai 600 009.
3. The Member Secretary
Chennai Metropolitan Development Authority
Thalamuthu Natarajan Building
No.1, Gandhi Irwin Road
Egmore, Chennai 600 008.

...

Respondents

Prayer: Petition under Article 226 of the Constitution of India praying for a writ of Mandamus directing the first respondent to consider the representation dated 17.11.2020 and to take action against all the unauthorised buildings in Noombal Village, Thiruverkadu Municipality and further direct to inspect and take action against the violated buildings in Noombal Village, Thiruverkadu Municipality and take steps immediately as per the Tamil Nadu Town and Country Planning Act, 1971.

For Petitioner

: Mr.K.Madhu Prakash

For Respondent-2

: Mr.G.K.Muthukumar

Special Govt. Pleader

ORDER

(Made by SENTHILKUMAR RAMAMOORTHY, J)

The petitioner canvasses a grievance that several unauthorised constructions have been erected in Noombal Village, Thiruverkadu Municipality.

2. It is asserted on behalf of the petitioner that multiple unauthorised constructions have come up across Noombal Village, as evidenced by the photographs at pages 17 to 23 of the typed set of papers filed in support of the writ petition. Learned Special Government Pleader submits that the matter falls within the jurisdiction of the Thiruverkadu Municipality and that it is for such Municipality to initiate action.

3. The affidavit in support of the writ petition does not contain details regarding the alleged unauthorised constructions or any particulars regarding the alleged violators. Consequently, the petitioner is permitted to submit a fresh representation to the first respondent, setting out the particulars of alleged unauthorised constructions at Noombal Village. Such representation shall be submitted within a period of two weeks from the date of receipt of a copy of this order. Upon receipt thereof, the first respondent is directed to consider such representation and dispose of the same by a speaking order within a period of eight weeks from the date of receipt thereof, after providing a reasonable opportunity to all the parties likely to be affected thereby.

4. W.P.No.8382 of 2021 is disposed of on the above terms. There will be no order as to costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

kpl

To

1. The Commissioner of Thiruverkadu Municipality
Thiruverkadu Municipality
Thiruverkadu
Chennai 600 077.

2. The Principal Secretary
Department of Housing and Urban Development
Secretariat
Chennai 600 009.

3. The Member Secretary
Chennai Metropolitan Development Authority
Thalamuthu Natarajan Building
No.1, Gandhi Irwin Road
Egmore, Chennai 600 008.

+3cc to Mr.M.Madhu Prakash, Advocate Sr.No.22170

+1cc to Government Pleader Sr.No.21892, 21768

W.P.No.8382 of 2021

KV (CO)
NR 16/04/2021



WEB COPY