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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.10.2021

CORAM:

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

W.P.No.10155 of 2021

1.K.Thamilselvan
2.S.Ravichandran
3.V.S.Sharma
4.Chandralekha
5.Prema Sairam

...Petitioners

Vs.

1.The Secretary,
Housing and Urban Development,
State of Tamil Nadu,
The Secretariat, Chennai - 09.

2.The Commissioner,
Corporation of Chennai,
Ripon Building, Chennai - 03.

3.The Executive Engineer,
(Enforcement - Region Centre),
Corporation of Chennai,
2nd Cross Street, Pulle Avenue,
Shenoy Nagar, Chennai - 30.

4.The Regional Deputy Commissioner (Central),
Greater Chennai Corporation,
Shenoy Nagar, Chennai - 30.

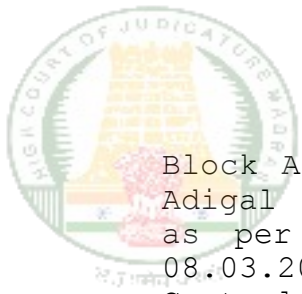
5.M.Rathna

6.Arumugam

(R5, R6 suo-motu impleaded vide order dated 28.04.2021
made in W.P.No.10155 of 2021 by NKKJ and TVTSJ)

... Respondents

Prayer: Writ Petition filed under Article 226 of the
Constitution of India, praying to issue a Writ of Mandamus
directing the respondents 2 to 4 to demolish the unapproved,
unauthorised and illegal construction made in the 2nd floor, A



Block Area of Sri Ayyappa Apartment situated at No.37/1, Elango Adigal Street, Padmanabha Nagar, Choolaimedu, Chennai - 600 094 as per the Locking and Sealing and Demolition Notice dated 08.03.2016 of the 3rd respondent vide Region Central/TNENF/588/2016 followed by the proceedings dated 28.04.2016 vide R.D.C (C)/TP-ENF/C.No.E1/3935/2016 of the 4th respondent within time frame.

For petitioner : Mr.K.Ravi Anantha Padmanaban

For respondent : Ms.Akila Rajendran
Government Advocate for R1
Mr.K.Raja Shrinivas
Senior Standing Counsel for R2 to R4
No Appearance for R5 and R6

ORDER

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

Heard Mr.K.Ravi Anantha Padmanaban, learned counsel appearing for the petitioner and Mr.K.Raja Shrinivas, learned Senior Standing Counsel for the respondents 2 to 4 and Ms.Akila Rajendran, learned Government Advocate appearing for the 1st respondent.

2. The petitioner prays for a direction to the respondents 2 to 4 to demolish the 2nd floor of the building constructed at No.37/1, Elango Adigal Street, Padmanabha Nagar, Choolaimedu, Chennai - 600 094.

3. It is the case of the petitioner that the 2nd floor of the apartment is an unauthorised construction.

4. The learned Senior Standing Counsel appearing for the Chennai Corporation would state that on inspection, they found deviation and also it is an unauthorised construction in the building and hence, the lock and seal notice was issued.

5. Considering the fact that the respondents had already initiated action on the basis of the representation of the petitioner, nothing survives in the writ petition.



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6. Accordingly, this Writ Petition is dismissed.
No costs.

Sd/-
Assistant Registrar(CS-VIII)

//True copy//

Sub Assistant Registrar

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To

- 1.The Secretary,
Housing and Urban Development,
The Secretariat, Chennai - 09.
- 2.The Commissioner,
Corporation of Chennai,
Ripon Building, Chennai - 03.
- 3.The Executive Engineer,
(Enforcement - Region Centre),
Corporation of Chennai,
2nd Cross Street, Pulle Avenue,
Shenoy Nagar, Chennai - 30.
- 4.The Regional Deputy Commissioner (Central),
Greater Chennai Corporation,
Shenoy Nagar, Chennai - 30.

+1cc to Mr.K.Ravi Anantha Padmanaban, Advocate SR.No.52583

+1cc to Mr.K.Raja Shrinivas, Advocate SR.No.52091

+1cc to Government Pleader SR.No.52300

W.P.No.10155 of 2021

RSI (CO)
GMY (29/10/2021)