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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 17.11.2021

CORAM

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

W.P.No.24452 of 2021
and
W.M.P.No.25774 of 2021

Santhiyagu

... Petitioner

-vs-

1. The District Collector
Chennai District
Singaravelar Maligai, Rajaji Salai
Chennai - 600 001.
2. The Commissioner
The Greater Chennai Corporation
Rippon Building
Chennai - 600 002.
3. The Assistant Commissioner
Zone-IV, Greater Chennai Corporation
Tondiarpet
Chennai - 600 081.

4. Edward Raj

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 3 to remove the un-authorized construction made by the 4th respondent in the northern side of our house property bearing No.254, present No.342, 6th Street, Sasthri Nagar, Vyasarpadi, Chennai - 600 039, admeasuring 850 sq.ft., which was allocated to our father A.Vethamuthu under the Burmian repatriates scheme and restore the amenities such as water and sewerage connections to our house.

For petitioner : Mr.C.K.M.Appaji

For respondents : Mr.L.S.M.Hasan Fizal, AGP
for R1

Mr.K.Raja Srinivas
Sr.Standing Counsel for R2 & R3



ORDER

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

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Heard Mr.C.K.M.Appaji, learned counsel for the petitioner; Mr.L.S.M.Hasan Fizal, learned Additional Government Pleader appearing for 1st respondent and Mr.K.Raja Srinivas, learned Sr.Standing Counsel appearing for the respondents 2 and 3.

2.The petitioner has come up with this writ petition for issuance of writ of mandamus, directing the respondents 1 to 3, to consider the representation dated 31.05.2021.

3.The case of the petitioner is that the 4th respondent, who is his neighbour, is putting up un-authorised construction and also encroached the land of the petitioner.

4.Mr.K.Raja Srinivas, learned Senior Standing Counsel appearing for the respondents 2 and 3 would state that on the basis of the petitioner's representation, notice under Section 56 & 57 of the Town and Country Planning Act, 1971, has been issued to the 4th respondent vide Notice No.Z.O.IV/U-09/Dn.36/59/2021 dated 07.07.2021 for production of approved plan. He would further submit that based on the response, the respondents will take appropriate action.

5.The statement of the learned Senior Standing Counsel is recorded and the writ petition is closed. No costs. Consequently connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector
Chennai District
Singaravelar Maligai, Rajaji Salai
Chennai - 600 001.



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2. The Commissioner
The Greater Chennai Corporation
Rippon Building
Chennai - 600 002.

3. The Assistant Commissioner
Zone-IV, Greater Chennai Corporation
Tondiarpet
Chennai - 600 081.

+1cc to Mr.C.K.M.Appaji, Advocate, S.R.No.59721

W.P.No.24452 of
2021
and W.M.P.No.25774 of 2021

KG(CO)
SU(01/12/2021)