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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 26.10.2021

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

W.P.No.21485 of 2021

V.Mohan Rao @ Mohanraj

... Petitioner

-vs-

1.The Secretary to Government
Housing and Urban Development
Secretariat
Chennai - 600 009.

2.The Member Secretary
Chennai Metropolitan Development Corporation
No.1, Ganthi Irvin Road
Egmore, Chennai - 600 009.

3.The Commissioner
Greater Chennai Corporation
Chennai - 600 003.

4.The Zonal Executive Engineer (Zone-VI)
No.5, Anderson Road
Ayanavaram
Chennai - 600 023.

5.V.Muralidharan Rao
6.M.Radha Muralidharan Rao
7.Shubashini Muralidharan
8.V.Baskaran Rao
9.Nagarajan Rao
10.Sankar

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 3rd and 4th respondents to take proper legal action against the 10th respondent based on 2nd respondent's proceedings letter No.EC/N-I/9370/2021 dated 17.08.2021 within stipulated period and consequently direct the 3rd and 4th respondents to seal and remove the illegal construction at Chennai - 600 049, Villivakkam Rajaji Nagar, 4th Street, New No.18/1, Old No's.35/1, 35/2, New No.18, which is total extent of 8934 sq.ft.



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For petitioner : Mr.T.V.G.Kartheeban

For respondents: Mrs.Akhila Rajendran, GA for R1
Mrs.C.Sumathy Sreekanth, SC for R2
Mr.Raja Srinivas, Sr.SC for R3&4

ORDER

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

The prayer in this writ petition is to issue a writ of mandamus, directing the respondents 3 and 4 to take appropriate legal action against the 10th respondent based on the proceedings of the 2nd respondent dated 17.08.2021.

2.Heard the parties and perused the records.

3.Mr.K.Raja Srinivas, learned Senior Standing Counsel appearing for the Greater Chennai Corporation would state that on the basis of the letter forwarded by the 2nd respondent, the officials of the 3rd respondent, viz., the Assistant Engineer Div-65 and Assistant Executive Engineer, Unit 15, have already issued notice dated 22.10.2021, calling for approved plan. It is also stated that further action would be taken on the basis of the records produced by the 10th respondent.

4.Considering the fact that the officials of the 3rd respondent had already initiated proceedings pursuant to the order of the 2nd respondent dated 17.08.2021, we are of the considered opinion that the prayer in this writ petition has become infructuous. Accordingly, this writ petition stands dismissed as infructuous. No costs.

Sd/-

Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

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To

1.The Secretary to Government
Housing and Urban Development
Secretariat
Chennai - 600 009.

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4.The Zonal Executive Engineer (Zone-VI)
No.5, Anderson Road
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Chennai - 600 023.

+1cc to M/s.T.V.G.Kartheeban, Advocate, S.R.No.54827
+1cc to M/s.K.Rajasrinivas, Advocate, S.R.No.55471
+1cc to the Government Pleader, S.R.No.55384

W.P.No.21485 of 2021

KSM(CO)
SB(23/11/2021)