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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.10.2021

CORAM:

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

W.P.No.23445 of 2021

N.Vasuki

...Petitioner

Vs.

1. The Commissioner,
Greater Chennai Corporation,
Amma Maligai, Ripon Building Campus,
Chennai - 600 003.
2. The Executive Engineer,
Greater Chennai Corporation,
Division No.69, Unit-16, Zone-6,
Thiru-vi-ka Nagar, Chennai.
3. The Zonal Officer,
Greater Chennai Corporation,
Division No.69, Unit-16, Zone-6,
Thiru-vi-ka Nagar, Chennai.
4. V.Vasudevan

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the respondents 1 to 3 to remove the unauthorised construction made in the premises bearing 2nd floor of the premises bearing door No.1, Beer Shop lane, Perambur, Chennai - 600 011 situated within the Sub-Registration District of Sembium, Chennai - 11 comprised in S.No.20/43 and 53 (Nos.1 to 6) T.S.No.30 Block 16 measuring 3 grounds 2219 sq.ft., in Division No.69, Unit-16 and Zone-6 enforcing the provisions of the Town and Country Planning Act, 1971.

For petitioner : Mr.R.Manickavel

For respondents : Mr.K.Raja Shirinivas
Senior Standing Counsel (for R1 to r3)



ORDER

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

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Heard Mr.R.Manickavel, learned counsel for the petitioner and Mr.K.Raja Shirinivas, learned Senior Standing Counsel appearing for the respondents 1 to 3.

2.This writ petition has been filed seeking for issuance of a Writ of Mandamus directing the respondents 1 to 3 to remove the unauthorised construction made by the fourth respondent at Door No.1, Beer Shop lane, Perambur, Chennai comprised in S.No.20/43 and 53 (Nos.1 to 6) T.S.No.30 Block 16.

3.The case of the petitioner is that the fourth respondent is her brother in law and a suit in C.S.No.452 of 2005 was filed for partition. The said suit was also decreed. Against which, the parties have filed appeals O.S.A.Nos.158 of 2021 and 219 of 2021 and they are pending. While so, the fourth respondent without obtaining planning permission from the authorities, is putting up unauthorised construction.

4.The learned Senior Standing Counsel appearing for the respondents 1 to 3 would submit that on receipt of the representation of the petitioner, the authorities have already issued notice to the fourth respondent calling for approved plan. If the approved plan is not produced or if there is any deviation, the authorities will take further action as against the fourth respondent.

5.The said statement of the learned Senior Standing Counsel is recorded and this writ petition is closed. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

skn



To

1. The Commissioner,
Greater Chennai Corporation,
Amma Maligai, Ripon Building Campus,
Chennai - 600 003.
2. The Executive Engineer,
Greater Chennai Corporation,
Division No.69, Unit-16, Zone-6,
Thiru-vi-ka Nagar, Chennai.
3. The Zonal Officer,
Greater Chennai Corporation,
Division No.69, Unit-16, Zone-6,
Thiru-vi-ka Nagar, Chennai.

+1cc to M/s.R.Manickavel, Advocate, S.R.No.56536

W.P.No.23445 of 2021

RSI (CO)
SU(07/12/2021)