



W.P.No.8112 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.09.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
AND
THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.No.8112 of 2021
and
W.M.P.No.8678 of 2021

M.Anandan

...Petitioner

Vs.

- 1.The Commissioner,
Greater Chennai Corporation,
Ripon Building, 1st Floor, Raja Muthiah Road,
Kannappar Thidal, Periyamet, Chennai – 600003.
- 2.The Zonal Officer,
Zone 4, The Greater Chennai Corporation,
266, Thiruvottiyur High Road, Korukkupet,
Old Washermanpet, Chennai – 600021.
- 3.Srinivasalu @ Issac
- 4.The Executive Engineer,
Zone 4, The Greater Chennai Corporation,
266, Thiruvottiyur Road, Korrukupet,
Old Washermanpet, Chennai – 600021.



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5.The Tamil Nadu Slum Clearance Board,

Rep. By its Chairman,

No.5, Kamarajar Street, Chennai – 600005

(R5 & R5 impleaded vide Order dt. 16.04.2021 made

in WMP.9959/2021 in WP.8112/2021 by NKKJ, TVTSJ) ..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of Writ of Mandamus, forbearing the 3rd respondent from putting any further construction without the necessary plan approval / palling permission by disposing of the petitioner's representation dated 03.03.2021 and demolish and remove the illegal construction already put up by the 3rd respondent.

For Petitioner : Mr.V.Haribabu

For Respondents : Mr.S.Gopinath

Standing Counsel for R1, R2 & R4

Mr.D.Muthukumar Paul for

M/s.Paul & Paul for R3

Mr.G.Sivakumar for R5

ORDER

(Order of the Court was made by R.SUBRAMANIAN, J.)

The petitioner seeks a Writ of Mandamus directing the respondents to consider his representation to remove the alleged unauthorized construction



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put up by the 3rd respondent.

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2. According to the petitioner, the 3rd respondent who was allotted 600 Sq.ft., of land by the Slum Clearance Board had put up construction for about 1200 Sq.Ft., by encroaching on all four sides of the property.

3. The learned counsel for the 3rd respondent would submit that the petitioner himself is an encroacher in the land of the Anganvadi Centre. If that be so, action should be taken both against the petitioner and the 3rd respondent. In fact, a lock and seal notice was issued by the 3rd respondent by the Chennai Corporation on 26.04.2021 and the 3rd respondent has also filed a revision before the Government under Section 80-A of the Tamil Nadu Town and Country Planning Act.

4. Since action has already been taken by the respondent against the 3rd respondent, this Writ Petition is disposed of with a direction to the Corporation to pursue action taken against the 3rd respondent till its logical conclusion. It is also stated that on 12.08.2022, notice has been issued to the



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petitioner seeking removal of the encroachment. In the light of the above, the

Corporation will take action against the petitioner also as per law and the
proceed with the same to its logical conclusion. No costs. Consequently,
connected miscellaneous petition is closed.

(R.S.M.,J.) (K.B.,J.)
30.09.2022

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Internet:No
Index:Yes
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To:-

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- 3.The Executive Engineer,
Zone 4, The Greater Chennai Corporation,
266, Thiruvottiyur Road, Korrukupet,
Old Washermanpet, Chennai – 600021.
- 4.The Chairman,
The Tamil Nadu Slum Clearance Board,
No.5, Kamarajar Street, Chennai – 600005



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and
K.KUMARESH BABU, J.

KKN

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