



W.P.No.26035 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.12.2022

CORAM:

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

W.P.No.26035 of 2022

Neelima

...Petitioner

Vs.

- 1.The Corporation Commissioner,
Greater Chennai Corporation,
Ripon Building, 1st Floor,
Raja Muthiah Road,
Periyamet, Chennai – 600 003.
- 2.The Secretary,
Chennai Metropolitan Development Authority,
No.1, Gandhi Irwin Road,
Egmore, Chennai – 600 008.
- 3.The Executive Engineer,
TANGEDCO,NPKRR Maaligai,
144, Anna Salai, Chennai – 600 002.
- 4.The Director,
Fire and Rescue Services,
No.17, Rukmani Lakshmipathy Road,
Egmore, Chennai – 600 008.



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5. The President,
The Owners Association,
G.G. Emerald,
No.312, Valluvar Kottam High Road,
Nungambakkam, Chennai – 600 034.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus, directing the respondents 1, 2 and 4 to consider the representation dated 22.04.2022 and to take action against the officials who were responsible for unlawful construction and possession of unauthorized and unapproved commercial building situated at No.312, G.G. Emerald Commercial building in Nungambakkam Highway, Chennai – 34.

For Petitioner : Mr.D.Alexis Sudhakar

For Respondents : Mr.C.N.Vinobha for R2

Mr.D.B.R.Prbhu for R1

Mr.L.Jaivenkatesh for R3

Mr.Vadivelu Deenadayalan,
Additional Government Pleader for R4



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ORDER

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

The complaint of the petitioner is that the building in question bearing name G.G.Emerald at No.312, Nungambakkam Highway, Chennai – 34 has been constructed without a planning permission.

2. The claim of the petitioner is based on an information furnished under the Right To Information Act. The information that is sought for is as to whether any enforcement action is taken against the building and it is replied in negative. That will not lead to the conclusion that the building is without planning permission.

3. The learned counsel appearing for the 5th respondent has filed a typed set which shows that the building has a planning permission as well as no objection letter from the Director of Fire Safety Department, apart from the completion certificate by the Member Secretary of Chennai Metropolitan Development Authority dated 28.11.2003.



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4. Hence, we do not find any merits in the writ petition. The writ

petition therefore fails and it is accordingly dismissed. No costs.

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

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dsa

Index : No

Internet : Yes

Speaking order



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