



W.P.No.27158 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.10.2022

CORAM:

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

W.P.No.27158 of 2022
and
W.M.P.No.26375 of 2022

M.R.K.Jhayaram

...Petitioner

Vs.

- 1.The State of Tamil Nadu,
Rep.by its Secretary to the Government,
Additional Secretary (Technical),
Housing and Urban Development Department,
Secretariat,
Chennai - 600009.
- 2.The Commissioner,
Greater Chennai Corporation,
Rippon Building,
Chennai - 600003.
- 3.The Member Secretary,
Chennai Metropolitan Development Authority (CMDA),
Egmore,
Chennai - 600008.



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4.The Assistant Executive Engineer,
Unit 32, Greater Chennai Corporation,
Rippon Building, Chennai - 600008.

5.The Assistant Engineer,
Division 143, Greater Chennai Corporation,
Rippon Building, Chennai - 600008.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of Writ of Certiorarified Mandamus, calling for the records on the file of the 1st respondent made in letter No.5279/UD-VI(2)/2021-3 dated 26.05.2022 and the proceedings of the 5th respondent made in KO.A.143/Na.Ka/Special/2022 dated 20.09.2022 and quash both and consequently direct the respondents not to interfere with the petitioners peaceful enjoyment of the property situated in Door No.115, S&P Garden, 4th Cross Street, Nulambur, Chennai - 600095.

For Petitioner : Ms.G.Selvi George for Majestic Law Firm

For Respondents : Mr.Vadivelu Deenadayalan

Additional Government Pleader for R1

Mr.D.B.R.Prabhu,

Standing Counsel for R2, R4 & R5

Mr.C.N.Vinobha for R3 / CMDA



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ORDER

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

After some arguments, the learned counsel for the petitioner took time to file an affidavit undertaking to bring the building in conformity with the sanctioned plan.

2.Today, when the matter is listed, an affidavit of the petitioner has been filed wherein, the petitioner has undertaken to bring the building in conformity with the sanctioned plan within a period of eight months as there are certain structural alterations which need to be done to bring the building in conformity with the sanctioned plan without affecting the stability of the entire building.

3.Accepting the said affidavit, this Writ Petition is disposed of sustaining the orders of the authorities and granting nine months time to the petitioner to bring the building in conformity with the sanctioned plan. If the building is not brought in conformity with the sanctioned plan within the time granted by this Court, it will be open to the enforcing authority namely, the Chennai Corporation to proceed with the demolition without any further



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notice. No costs. Consequently, connected miscellaneous petition is closed.

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(R.S.M.,J.) (K.B.,J.)
28.10.2022

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To:-

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and
K.KUMARESH BABU, J.

KKN

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