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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 11.01.2022

CORAM:

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

W.P. No.28249 of 2021
and WMP.No.29836 of 2021

V.R.Jagadeesan

.. Petitioner

Versus

1. The Secretary to the Government of Tamilnadu,
Housing and Urban Development Department,
Fort St. George, Chennai 600 009.
2. The Commissioner,
Greater Chennai Corporation,
Chennai 600 003.
3. The Superintendent Engineer,
Greater Chennai Corporation,
Division No.145, Zone-XI,
Rippon Building Campus,
Chennai 600 003.
4. Mr.S.Rajendran
5. The Executive Engineer,
Greater Chennai Corporation, Zone-XI,
Rippon Building Campus, Chennai 600 003. .. Respondents
[R5 impleaded as per the order of this Court
dated 07.01.2022 in WMP.No.288 of 2022
in WP.No.28249 of 2021]

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Mandamus, directing the respondents 1 to 3 to demolish the illegal and unauthorized constructions made by the fourth respondent in the property bearing Plot No.14, Azhagammai Nagar First Main Road, Nerkundram, Chennai 600 107, comprised in S.Nos.93 & 94, New S.No.94/9, Nerkundram Village, Maduravoyal Taluk, Chennai District.



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For petitioner : Mr.P.Mohanraj
For respondents
for R1 : Mr.K.V.Sajeev Kumar
for RR2, 3 & 5 : Mr.K.Raja Shrinivas
for R4 : Mr.K.Thilageswaran

ORDER

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

The Writ Petition is heard through video conferencing.

2. Heard Mr.P.Mohanraj, learned counsel for the petitioner, Mr.K.V.Sajeev Kumar, learned Special Government Pleader for the first respondent, Mr.K.Raja Shrinivas, learned Senior Standing Counsel for the respondents 2, 3 & 5 Mr.K.Thilageswaran, learned counsel for the fourth respondent.

3. The petitioner has filed this Writ Petition for issuance of a Writ of Mandamus, directing the respondents 1 to 3 to demolish the illegal constructions made by the fourth respondent at Plot No.14, Azhagammai Nagar First Main Road, Nerkundram, Chennai 600 107.

4. According to the petitioner, the fourth respondent in violation of the approved plan has put up construction and in this regard, he made a representation to the official respondents, but no action has been taken.

5. The learned Senior Standing Counsel appearing for Greater Chennai Corporation has submitted that a notice was already issued to the fourth respondent for production of the approved plan and if there is any violation, the fifth respondent would take action in accordance with law.

6. It is the submission of the learned counsel for the fourth respondent that he had constructed the building in accordance with the approved plan and there is no violation nor any deviation.

7. Considering the submissions of the learned Senior Standing counsel appearing for the respondents 2, 3 and 5, it is seen that proceedings were already initiated based on the representation of the petitioner. It is also stated that follow up action will be taken in accordance with law. Hence, we are of



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the considered view that nothing survives for consideration in this Writ Petition. Accordingly, the Writ Petition is closed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-CCC)

//True copy//

Sub Assistant Registrar

pvs

To

1. The Secretary to the Government of Tamilnadu,
Housing and Urban Development Department,
Fort St. George, Chennai 600 009.
2. The Commissioner,
Greater Chennai Corporation,
Chennai 600 003.
3. The Superintendent Engineer,
Greater Chennai Corporation,
Division No.145, Zone-XI,
Rippon Building Campus, Chennai 600 003.
4. The Executive Engineer,
Greater Chennai Corporation, Zone-XI,
Rippon Building Campus, Chennai 600 003.

+1cc to Mr.P.Mohanraj, Advocate SR.No.2439

+1cc to Government Pleader SR.No.3109

W.P. No.28249 of 2021

PMK (CO)
GMY (08/02/2022)