



W.P.No.33402 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.12.2022

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI
and
THE HONOURABLE MRS.JUSTICE R.HEMALATHA

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R.Sumitha

.. Petitioner

Vs.

1.The District Collector,
The Office of District Collectorage,
Kancheepuram.

2.The Block Development Officer,
Kundarathur Municipality,
Padapai, Kundrathur Taluk,
Kancheepuram.

3.The Chairman,
Madampakkam Panchayat,
Kundarathur Taluk,
Kancheepuram.

4.D.Gowri

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents No.1 to 3 to take action against unauthorized construction of the 4th respondent in S.No.78/14, based on petitioner's representation dated 22.10.2022.



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For Petitioner : Dr.A.Thiyagarajan
Senior Counsel
Asst. by Ms.A.Vinu Pradha

For R1 : Ms.R.L.Karthika
Government Advocate

For R2 and R3 : Mr.Mythreye Chandru
Special Government Pleader

ORDER

(Order of the Court was delivered by V.M.VELUMANI, J.)

The present writ petition is filed for a direction to the respondents 1 to 3 to take action against unauthorized construction of the 4th respondent in S.No.78/14, based on petitioner's representation dated 22.10.2022.

2. Heard the learned counsel appearing for the petitioner, learned Government Advocate appearing for the 1st respondent as well as the learned Special Government Pleader appearing for the 2nd and 3rd respondents and perused the entire materials on record.



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3. The learned Senior Counsel appearing for the petitioner submitted that the petitioner is owner of property in S.No.71/1A1B bearing Plot No.7, Adhilakshmi Avenue, Madampakkam Village, Kundrathur Taluk, Kancheepuram. He further submitted that adjacent to the petitioner's property, the 4th respondent is owning a land in S.No.78/14. The 4th respondent without obtaining any approval from the authority started constructing unauthorized construction, without leaving any set backs, in total violation of the existing norms of the Town and Country Planning Act, 1990. In such circumstances, the petitioner made several representations to the respondents 1 to 3 and finally, she made representation dated 22.10.2022, since no action has been taken by the respondents 1 to 3, the petitioner has come out with the present writ petition.

4. Ms.R.L.Karthika, learned Government Advocate takes notice for the 1st respondent and Mr.Mythreye Chandru, learned Special Government Pleader takes notice for the 2nd and 3rd respondents and they submitted that the representation of the petitioner dated 22.10.2022 will be considered by the respondents 1 to 3.



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5. Considering the above submissions, the respondents 2 and 3 are directed to inspect the property, after issuing notice to the petitioner as well as 4th respondent. If there is any unauthorised construction without obtaining any approval, the respondents 2 and 3 are directed to take appropriate action in accordance with law.

6. With the above direction, the writ petition is disposed of. No costs.

(V.M.V., J) (R.H., J)
13.12.2022

Index : Yes / No
Internet : Yes / No

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To

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