



W.P.No.34765 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.12.2022

CORAM:

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

W.P.No.34765 of 2022
and
W.M.P.No.34182 of 2022

R.Sarangapani

.. Petitioner

Vs.

- 1.The Commissioner,
Tambaram City Municipal Corporation,
Tambaram,
Chennai.
- 2.The Member – Secretary
Chennai Metropolitan Development Authority,
Chennai – 600 008.
- 3.The Inspector of Police
Pallavaram Police Station
Pallavaram,
Chennai.

4.R.Rajan

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the first respondent to consider and dispose of the representations dated 28.09.2022, 03.10.2022 and 11.10.2022 of the petitioner with regard to



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illegal construction at Plot No.89, Pallava Garden, 3rd Avenue, Old Pallavaram, Chennai – 117, within a limited time frame.

For Petitioner : Mr.J.Muthukumaran
For R1 : Mr.P.Srinivas
Standing Counsel
For R2 : Mr.C.N.Vinobha
Standing Counsel
For R3 : Ms.R.L.Karthika
Government Advocate

ORDER

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

The present writ petition is filed for a direction to the 1st respondent to consider and dispose of the representations dated 28.09.2022, 03.10.2022 and 11.10.2022 of the petitioner with regard to illegal construction at Plot No.89, Pallava Garden, 3rd Avenue, Old Pallavaram, Chennai – 117, within a limited time frame.

2. By consent of both the learned counsel appearing for the petitioner as well as Mr.P.Srinivas, learned Standing Counsel, who takes notice for the 1st respondent, Mr.C.N.Vinobha, learned Standing Counsel, who takes notice for the 2nd respondent and Ms.R.L.Karthika, learned



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Government Advocate, who takes notice for the 3rd respondent, this Writ Petition is taken up for final disposal at the admission stage itself.

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

4. The petitioner is residing at Door No.90, Third Avenue, Pallava Garden Old Pallavaram, Chennai and he has constructed a house in Plot No.90 in Survey No.81/2B of Perumal Nagar, Pallavaram Garden, Zamin Pallavaram Village Tambaram Taluk, Chengalpattu District, after obtaining planning permission from the erstwhile Pallavaram Municipality. The 4th respondent is the owner of his adjacent plot and he has commenced constructions in the said plot violating the planning permission and without following the norms as per the rules and regulations. In this regard, the petitioner made various representations including legal notice through Advocate dated 25.10.2022 to the 1st respondent to inspect the unauthorised construction put by the 4th



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respondent and to take action as per law and to stop the construction if there is any violation of planning permission. The 1st respondent has not taken any action. Hence, the petitioner come out with the present writ petition.

5. Mr.P.Srinivas, learned Standing Counsel appearing for the 1st respondent submitted that the 1st respondent will inspect the premises and if there is any unauthorised construction, the 1st respondent will take necessary action in accordance with law.

6. Considering the above submissions made by the learned counsel appearing for the petitioner and the learned Standing Counsel appearing for the 1st respondent and nature of relief sought for in the present writ petition, the 1st respondent is directed to inspect the property of the 4th respondent bearing Plot No.89, Third Avenue, Pallava Garden, Old Pallavaram, Chennai – 600 117, Ward 21 of Tambaram Municipality after issuing notice to the petitioner and fourth respondent and if any unauthorised construction is found, the 1st respondent shall take necessary action against the illegal construction put up in accordance with law considering the representation of the petitioner.



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7. With the above direction, the Writ Petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

(V.M.V., J) (R.H., J)
23.12.2022

Index : Yes / No
Internet : Yes / No
dm

To

1. The Commissioner,
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Tambaram,
Chennai.
2. The Member – Secretary
Chennai Metropolitan Development Authority,
Chennai – 600 008.
3. The Inspector of Police
Pallavaram Police Station
Pallavaram,
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and
R.HEMALATHA, J.

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