



W.P.No.4359 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 17.04.2023

CORAM

THE HONOURABLE Ms. JUSTICE V.M.VELUMANI

AND

THE HONOURABLE Mr. JUSTICE V.LAKSHMINARAYANAN

W.P.No.4359 of 2018
and W.M.P.No.5353 of 2018

Abdul Aziz Wakf
Rep. by its Joint Muttawalli
A.A.Riazuddin Ahmed

.. Petitioner

Vs.

1.The Commissioner
Corporation of Chennai
Ripon Building
Chennai-3

2.The Member Secretary
Chennai Metropolitan Development Authority
Thalamuthu Natarajan Maaligai
Egmore, Chennai-8



W.P.No.4359 of 2018

3.The Assistant Executive Engineer
Corporation of Chennai
Dr.Besant Road
Zone No.9, Division No.120
Triplicane, Chennai-5

4.A.Abdul Lathif @ Lathif

5.S.Fakhruddin

6.Zainab Fakhruddin

7.The Tamil Nadu Wakf Board
Rep. by its C.E.O.
1, Jaffar Syrang Street
Vallal Seethakhadi Nagar
Chennai-1
(Impleaded *vide* order dt.8.4.19 made in W.M.P.No.11177/19)

8.The Tahsildar
No.46, Greenways Road
Raja Annamalaipuram
Chennai-28
(*Suo motu* impleaded *vide* order dt.15.3.23)

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the respondents 1 to 3 to take action against the respondents 5 and 6 in accordance with law for the illegal and unauthorised construction being put up by the respondents 5 and 6 at the property bearing door No.47-A, Dr.Natesan Road, Triplicane, Chennai-5, which belongs to the petitioner Wakf.



W.P.No.4359 of 2018

For Petitioner : Mr.Muniruddin Sheriff
For R1 : Ms.P.T.Rama Devi
Standing Counsel
For R2 : Mr.C.N.Vinobha
Standing Counsel
For R3 & R7 : Ms.H.Yasmeen Ali
For R4 : Mr.V.G.Suresh Kumar
For R5 & R6 : Ms.AL.Gandhimathi
Senior Counsel for
Mr.A.R.Karthik Lakshmanan
For R8 : Mr.P.Gurunathan
Additional Government Pleader

ORDER

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

This writ petition has been filed for a direction to the respondents 1 to 3 to take action against the respondents 5 and 6 alleging that they have put an unauthorised construction in the property bearing door No.47-A, Dr.Natesan Road, Triplicane, Chennai-5, which belongs to the petitioner Wakf.



W.P.No.4359 of 2018

2. When the matter was taken up for hearing, Mr.P.Gurunathan, learned Additional Government Pleader appearing for the 8th respondent submitted that already the Corporation officials have issued notice dated 28.08.2019 under Section 56(2A) and Section 57 of the Tamil Nadu Town and Country Planning Act, 1971, for lock and seal the premises.

3. In view of the above submission of the learned Additional Government Pleader and the liberty given to the 5th respondent herein in W.P.No.27563 of 2019 to file revision before the Government, no further order is necessary and this writ petition is closed. No costs. Connected miscellaneous petition is closed.

(V.M.V.,J.) (V.L.N.,J.)
17.04.2023
(1/2)

Index : Yes / No
Neutral citation : Yes/No
gya



W.P.No.4359 of 2018

To
WEB COPY

1.The Commissioner
Corporation of Chennai
Ripon Building
Chennai-3

2.The Member Secretary
Chennai Metropolitan Development Authority
Thalamuthu Natarajan Maaligai
Egmore, Chennai-8

3.The Assistant Executive Engineer
Corporation of Chennai
Dr.Besant Road
Zone No.9, Division No.120
Triplicane, Chennai-5

4.The C.E.O.
Tamil Nadu Wakf Board
1, Jaffar Syrang Street
Vallal Seethakhadi Nagar
Chennai-1

5.The Tahsildar
No.46, Greenways Road
Raja Annamalaipuram
Chennai-28



WEB COPY



W.P.No.4359 of 2018

V.M.VELUMANI, J.
AND
V.LAKSHMINARAYANAN, J.

gya

W.P.No.4359 of 2018

17.04.2023
(1/2)