



W.P.No.6595 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 12.06.2023

Coram:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR  
and  
THE HONOURABLE MR.JUSTICE P.DHANABAL

W.P.No.6595 of 2023

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R.Krishnamoorthy

.. Petitioner

Vs.

1. The Member Secretary,  
Chennai Metropolitan Development Authority,  
Thalamuthu natarajan Maligai,  
Egmore, Chennai-600 008.
2. The Municipal Commissioner,  
Tambaram City Municipal Corporation (Pallavapuram),  
New Colony, Chrompet,  
Chennai-600 044.
3. A.Fackrudhin Ali
4. A.Yasin
5. The Secretary,  
Tamil Nadu Housing and Urban Development Department,  
Fort St.George, Chennai-600 009.  
(R-5 suo motu impleaded,  
vide order dated 29.03.2023 made in W.P.No.6595 of 2023)

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying  
for issuance of a Writ of Mandamus to direct the second respondent to take

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necessary enforcement action against the unauthorised construction in Plot No.18, Subham Nagar Part-II, Jameen Pallavaram, Chennai-600 044 in terms of Letter No.EC/S-I/12454/2019, dated 30.08.2019 issued by the first respondent.

For petitioner : Mr.R.Manickavel

For respondents: Mr.R.Sivakumar, Standing Counsel for R-1

Mr.P.Srinivas, Standing Counsel for R-2

M/s.Sharada Vivek and Mr.Sanjay Balachander for RR-3 and 4

Mr.E.Vijay Anand, Addl.G.P. for R-5

ORDER

(The Order of the Court was made by D.Krishnakumar, J)

The Writ Petition is taken up for final disposal by consent of the learned counsel appearing for the parties.

2. The Writ Petition has been filed for issuance of a Writ of Mandamus to direct the second respondent to take necessary enforcement action against the unauthorised construction in Plot No.18, Subham Nagar Part-II, Jameen Pallavaram, Chennai-600 044 in terms of Letter No.EC/S-I/12454/2019, dated 30.08.2019 issued by the first respondent.

3. Learned Additional Government Pleader appearing for the fifth

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respondent-Secretary, Tamil Nadu Housing and Urban Development Department, Chennai, on instructions, informed this Court that the private respondents, namely third and fourth respondents, have filed revision petition before the fifth respondent/authority concerned on 20.03.2020 as against the unauthorised construction and the same is pending for want of particulars from the first respondent-CMDA as well as the second respondent-Municipal Commissioner of Tambaram City Municipal Corporation (Pallavapuram).

4. In the light of the above submission of the learned Additional Government Pleader, both the learned counsel for the petitioner as well as the learned counsel appearing for the respondents 3 and 4 have agreed that appropriate orders may be passed for disposal of the said revision petition pending before the fifth respondent-Government.

5. In view of the above submissions made by the learned counsel appearing for the parties, and considering the facts and circumstances of the case, without going into the merits/de-merits of the relief sought for in this Writ Petition and the factual aspects of the matter, we direct that the revision petition, dated 20.03.2020, filed by the respondents 3 and 4, be disposed of by the fifth respondent, on merits and in accordance with law, as expeditiously as possible,



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at any rate, within a period of 12 weeks from the date of receipt of a copy of this order, after providing an opportunity of hearing to the parties concerned, including the respondents 3 and 4 herein.

6. With the above observations and directions, the Writ Petition is disposed of. There shall be no order as to costs.

(D.K.K., J) (P.D.B., J)  
12.06.2023

Speaking Order: Yes/no

Neutral Citation: Yes/no

CS

To

1. The Member Secretary,  
Chennai Metropolitan Development Authority,  
Thalamuthu natarajan Maligai,  
Egmore, Chennai-600 008.
2. The Municipal Commissioner,  
Tambaram City Municipal Corporation (Pallavapuram),  
New Colony, Chrompet,  
Chennai-600 044.
3. The Secretary,  
Tamil Nadu Housing and Urban Development Department,  
Fort St.George, Chennai-600 009.



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D.KRISHNAKUMAR, J  
and  
P.DHANABAL, J

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