



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :: 25-07-2023

CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

AND

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

W.P.No.10779 of 2018

Anand J.Danani

...

Petitioner

-VS-

1.The Government of Tamil Nadu,
rep. by its Secretary,
Department of Environment,
Fort St.George,
Chennai-600 009.

2.Member Secretary,
Local Planning Authority,
Mamallapuram,
Kanchipuram District – 603 104.

3.Commissioner,
Town and Country Planning,
807, Anna Salai,
Chennai – 600 002.

4.Additional Secretary (Technical),
Housing and Urban Development Department,
Fort St.George,
Chennai-600 009.



5.J.M.Amanullah

6.Sify Technologies Limited

...

Respondents

Writ Petition under Article 226 of the Constitution of India, praying for issuance of a writ of Certiorarified Mandamus, to call for the records of the fourth respondent culminating in his order bearing reference Letter No.27438/UD4(1)/2017-1, dated 18.12.2017, quash the same and direct the second respondent to effect demolition of the illegal construction put up by the fifth respondent in Survey No.108/61, 1B1 and 1B2, and have the land restored to its original condition.

For Petitioner : Mrs.L.Maithili,
for M/s.L.Maithili Associates.

For Respondents 1 to 4 : Mr.A.Selvendran,
Spl.Govt.Pleader.
For Respondent 5 : Mr.D.S.Rajasekaran

ORDER
(By *S.Vaidyanathan,J.*)

Fifth respondent would submit that the building in question has been constructed within the prohibited zone and, even though permission is granted by the Planning Authority, he is willing to demolish the building. He would further submit that there are several buildings that are constructed in violation and well within the Coastal Regulatory Zone (CRZ), which is a prohibited area, and that the petitioner is interested in having his building constructed.



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2. We are not inclined to go into that aspect for the present. However, we make it clear that the Government shall take steps to ensure that no building is constructed in the prohibited area and the buildings, if any, constructed therein, are removed within a period of one month from the date of receipt of a copy of this order, if the contention of the fifth respondent is correct. If the illegal constructions, if any, are not removed as stated above, Government shall take appropriate action against the officials, who are responsible for the same.

3. Writ Petition is disposed of accordingly. No costs. Consequently, the connected W.M.P.No.12724 of 2018 is closed.

(S.V.N.,J.) (K.R.S.,J.)

25-07-2023

dixit

(2/2)

To

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W.P.No.10779 of 2018

S.VAIDYANATHAN,J.
AND
K.RAJASEKAR,J.

dixit

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(2/2)

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