



W.P.No.14266 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

AND

THE HONOURABLE MR.JUSTICE P. DHANABAL

W.P.No.14266 of 2023

P.AybinRaj

...

Petitioner

versus

1.The Commissioner,
Corporation of Chennai,
Rippon Buildings,
Chennai-600 003.

2.The Assistant Commissioner,
Corporation of Chennai,
Zone X, Kodambakkam,
Chennai- 600 024.

3.C.J.Monas

...

Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for the issuance of a writ of Mandamus directing the first and second respondents to inspect and to demolish the unauthorized construction made on the petitioners property based on the representation dated 27.02.2023 made by the petitioner and pass orders.



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For Petitioner : Mr.R.Balaji
For Respondents : Mr.D.B.R.Prabhu
Standing Counsel for Corporation
for respondents 1 and 2

ORDER

(Order of the Court was made by *D.KRISHNAKUMAR, J.*)

This writ petition has been filed for a Mandamus directing the first and second respondents to inspect and to demolish the unauthorized construction made on the petitioner's property, based on the representation dated 27.02.2023 made by the petitioner.

2. A report has been filed by the Greater Chennai Corporation, wherein it is stated as follows:

"3.....It is submitted that the building in question is within the slum area as a row houses and on inquiry it was informed that the 3rd respondent herein had put up his building by encroaching around 2.5 feet into the petitioner's land.

4.I submit that after inspecting the building in question action has been taken by issuing a Notice calling for approved plan dated 13.06.2023, under Section 56 (1) and 57 read with Section 85 of the Tamil Nadu Town and Country Planning Act, 1971 to the 3rd respondent herein".



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3. In view of the aforesaid statement made in the said report, the second respondent shall proceed to take further action for the removal of the unauthorized construction in the building in question, in accordance with law, after giving notice to the parties concerned. The said exercise shall be completed, within a period of twelve weeks from the date of receipt of a copy of this order.

4. With the above directions, the writ petitioner stands disposed of. There will be no order as to costs.

[D.K.K., J.] [P.D.B., J.]
26.06.2023

Index : Yes/No
Neutral Citation : Yes/No
mrn

To

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D.KRISHNAKUMAR, J.
and
P. DHANABAL, J.

(mrn)

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