



WP No.22133 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.10.2023

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA , CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

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J.Sushil Rajkumar

.. Petitioner

-vs-

1. The State
Rep. by its Secretary,
Municipal Administration and Water
Supply Department, Secretariat,
Chennai 600 009.
2. The Member Secretary,
CMDA, No.1, Gandhi Irwin Road,
Thalamuthu Natarajan Building,
Egmore, Chennai.
3. The Commissioner,
Greater Chennai Corporation,
Rippon Building, Chennai 600 003.
4. The Executive Engineer,
Zone-III, Greater Chennai Corporation,
No.1, Thattankulam Street, Bazar Road,
Madhavaram, Chennai 600 006.
5. The Area Engineer,
Area-III, CMWSSB, No.1,
Perumal Koil Street, Madhavaram,
Chennai 600 060.



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6. Ezhancharan

7. Hemalatha

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents 1 to 5 herein to take action against the unlawful and deviated constructions of the 6th and 7th respondents at Plot No.29 and 30, St.Francis Colony, 1st Main Road, Madavaram, Chennai 600 060.

For the Petitioner	:	Mr.D.Thirumoorthy
For the Respondents	:	Mr.P.Muthukumar,
		State Government Pleader,
		for R-1
	:	Mr.A.Arunbabu
		Stdg. Counsel for RR 3 and 4
	:	Mrs.P.Veena Suresh for R-2
	:	No appearance for R-5
	:	Mr.V.Raghavachari
		Senior Counsel
		for Mrs.V.Srimathi for RR6 and 7

ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.D.Thirumoorthy, learned counsel for the petitioner, Mr.P.Muthukumar, learned State Government Pleader, for the first respondent, Mrs.P.Veena Suresh, learned counsel for Respondent No.2, Mr.A.Arunbabu, learned Standing Counsel for respondent Nos.3 and 4 and Mr.V.Raghavachari, learned Senior Counsel for respondent Nos.6 and 7. None appears for Respondent No.5.



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2. The learned counsel for the Corporation submits that after inspection of the site, notice under Sections 56 and 57 read with Section 85 of the Tamil Nadu Town and Country Planning Act, 1971 has been issued. The premises consisting of ground floor, first floor and second floor has been examined on 27.09.2023 and some deviation in the construction has been observed. Now, further steps would be taken with regard to lock and seal of the premises on 09.11.2023.

3. In view of the statement made by the learned counsel for the Corporation, we are not required to consider the matter on merits. The parties may take recourse to the remedy under the provisions of law as may be permissible.

The writ petition is as such disposed of. There will be no order as to costs.

(S.V.G., CJ.)

(D.B.C., J.)

30.10.2023

Index : Yes/No
Neutral Citation : Yes/No
sra



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THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY, J.

(sra)

To

1. The Secretary to Government of Tamil Nadu,
Municipal Administration and Water
Supply Department, Secretariat,
Chennai 600 009.
2. The Member Secretary,
CMDA, No.1, Gandhi Irwin Road,
Thalamuthu Natarajan Building, Egmore, Chennai.
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