



W.P.No.14860 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

AND

THE HONOURABLE MR.JUSTICE P. DHANABAL

W.P.No.14860 of 2022

G.Kumar ... Petitioner

versus

1.The Commissioner
Greater Chennai Corporation
PH Road, Chennai

2.The Assistant Engineer
Zone No.7, Ambattur MTH Road
Ambattur, Chennai 53

3.Mari Muthu ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for the issuance of a writ of Mandamus directing the official Respondent herein to take appropriate action based on calling for Approved Plan/Stop work Notice No.DN 83/Unit 18/96/2022 dated 19.05.2022 under Sections 56, 57 read with Section 85 of Tamil Nadu Town and Country Planning Act within the time fixed by this Honble Court



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For Petitioner : Mr.B.Manoharan
For Respondents : Mrs.P.T.Ramadevi
Standing Counsel
for respondents 1 and 2

Not ready in notice
for the third respondent

ORDER

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

The writ petition has been filed for a mandamus, directing the official Respondent herein to take appropriate action based on calling for Approved Plan/Stop work Notice No.DN 83/Unit 18/96/2022 dated 19.05.2022 under Sections 56, 57 read with Section 85 of the Tamil Nadu Town and Country Planning Act, 1971 (for the sake of brevity, hereafter referred to as 'the Act').

2. A counter-affidavit has been filed by the Greater Chennai Corporation, wherein it is stated that, on receipt of the complaint from the petitioner, the Assistant Executive Engineer, has inspected the property in question on 19.05.2022 and issued a Stop work Notice/Notice calling for approved plan dated 19.05.2022, under Section 56, 57 read with Section 85 of the Act, to the third respondent herein. Since the third respondent has failed to comply with the above



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notice, the entire building has been treated as unauthorised construction. Subsequently, Lock and seal notice dated 14.09.2022, under Section 57 read with Section 85 of the Act, was issued to the third respondent. On receipt of the aforesaid Lock and Seal Notice, the third respondent herein had submitted a letter stating that he had removed the hut and put up a residential concrete structure by availing a loan under the Pradhan Mantri Awas Yojana Scheme and the third respondent had also produced the orders of the Administrative Engineer, Tamil Nadu Slum Clearance Board.

3. In view of the statement made in the counter-affidavit, nothing survives for adjudication in the writ petition. Consequently, the writ petition stands closed. There will be no order as to costs. W.M.P.No.14067 of 2022, is closed.

[D.K.K., J.] [P.D.B., J.]
19.06.2023

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



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

(mrn)

To

- 1.The Commissioner
Greater Chennai Corporation
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- 2.The Assistant Engineer
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