



WP No.15611 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.09.2023

CORAM

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

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESAVALU

WP No.15611 of 2023
and WMP No.15104 of 2023

M.P.Abdul Rahman

... Petitioner

-VS-

1. The Commissioner,
Arakkonam Municipality,
Arakkonam, Ranipet District.

2. B.Srinivasan
3. N.Srinivasan
4. S.Mani

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 1st respondent to remove the obstructions put up by the respondents 2 and 3 in violation of the licence granted to them, the obstruction put up by the 4th respondent, by erecting the structures on either side of the entrance of petitioner's Hotel Alankar at Arakkonam Bus Stand in compliance with the orders made in Na.Ka.1146/2021/A1 dt. 06.07.2021, Na.Ka.No.1777/19/F1 dt. 19.08.2021 and Na.Ka.No.27/21/F1 dt. 20.01.2022 issued by the 1st respondent.

For the Petitioner : Mr.V.Balaji



WEB COPY



WP No.15611 of 2023

For the Respondents : Mr.D.Ravidhander
Special Government Pleader,
for R-1
: Not ready in notice reg. RR 2 & 4
: Mr.G.Jeremiah for R-3

* * * * *

ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.V.Balaji, learned counsel for the petitioner, Mr.D.Ravichander, learned Special Government Pleader, for respondent No.1 and Mr.G.Jeremiah, learned counsel for respondent No.3.

2. The question is not about the ownership of the land. The petitioner alleges unauthorised construction on the part of the private respondents.

3. The contention of learned counsel for the private respondents is otherwise.



WP No.15611 of 2023

WEB COPY

4. The respondent No.1 is the Planning Authority. It is endowed with the duty to oversee that unauthorised construction does not come up. The respondent No.1 shall conduct the survey of the property preferably within two months from today and depending upon the report of the survey, further steps would be taken by respondent No.1.

The writ petition is accordingly disposed of. There will be no order as to costs. Consequently, connected miscellaneous petition is closed.

(S.V.G., CJ.)

(P.D.A., J.)

25.09.2023

Index : Yes/No

Neutral Citation : Yes/No

sra

To

1. The Commissioner,
Arakkonam Municipality,
Arakkonam, Ranipet District.



WEB COPY



WP No.15611 of 2023

THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKEVALU, J.

(sra)

WP No.15611 of 2023

25.09.2023