



W.P.No.16521 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.11.2023

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.16521 of 2019

M.Delli Babu

.. Petitioner

VS

- 1.The Collector,
Kanchipuram District,
Kanchipuram.
- 2.The Commissioner,
Sembakkam Municipality,
178, Velechery Main Road,
Rajakilpaukam, Sembakkam,
Chennai-600 044.
- 3.The Town Planning Officer,
Sembakkam Municipality,
178, Velechery Main Road,
Rajakilpaukam, Sembakkam,
Chennai-600 044.
- 4.The Chief Engineer,
Chennai EDC South Region, TNGENCO,
Block 5A, Anna Salai,
NPKRR Maligai, Chennai-2.



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5.Ponny Retail's Private Limited,
rep. by its Managing Director,
New No.64, Old No.67, Ariya Gowda Road,
West Mambalam,
Chennai-600 033.

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents 1 to 3 to demolish the unlawful construction violating the Tamilnadu Town and Country Planning Rules, located at Ponnystores located at the Survey no.43/9, 43/10 and 46/4b address no.179B, Velachery Main Road, Selaiyur, Tambaram East, Chennai-73 and comply with the necessary building guidelines and direct the respondent 2 to find the property tax status and issue penalty to respondent 5 in case of violation also direct the respondent 4 to disconnect the electricity in case of violation and fix responsibility to the officials in charge.

For the Petitioner : No Appearance

For the Respondents : Mrs.R.Anitha
Spl. Government Pleader
for respondent No.1

: Mr.P.Srinivas
for respondent No.2 and 3

: No Appearance
for respondent No.4

: Mr.K.Kathiresan
for respondent No.5



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ORDER

(Order of the court was made by the Hon'ble Chief Justice)

None appears for the petitioner when the matter is called out.

2. Heard Mrs.R.Anitha, learned Special Government Pleader for the first respondent; Mr.P.Srinivas, learned counsel for respondents 2 and 3; and, Mr.K.Kathiresan, learned counsel for the fifth respondent.

3. Learned counsel for respondents 2 and 3 submits that now the second respondent Municipality is merged with Chennai Corporation and the Corporation had issued notice to the fifth respondent seeking copy of the approved plan.

4. If the construction of the fifth respondent is unauthorised, then the Corporation would take further action in accordance with law. It is expected that the Corporation shall proceed in accordance with law and take appropriate steps expeditiously.

5. With theses observations, the writ petition is disposed of.



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There will be no order as to costs.

In view of the disposal of the writ petition, W.M.P.No.26529 of 2019 filed by the applicant T.P.Balamurugan to implead him as sixth respondent in the writ petition is closed.

(S.V.G., C.J.)

(D.B.C., J.)

15.11.2023

Index : Yes/No
Neutral Citation : Yes/No
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To

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

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