



W.P.No.22002 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.08.2023

CORAM :

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

AND

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

W.P.No.22002 of 2023

N.Yuganathan

.. Petitioner

Vs.

1. The State of Tamil Nadu
Rep. by the Principal Secretary to Government
Housing and Urban Development Department
Government of Tamil Nadu
Secretariat, Fort St. George
Chennai – 600 009.
2. The Tamil Nadu State Environment Impact
Assessment Authority by its Chairman
Place of Office at No.1, Jeenai Road
Saidapet, Chennai – 600 015.
3. The Tamil Nadu State Coastal Zone
Management Authority
Rep. by its Member Secretary
Panagal Building
Saidapet, Chennai – 600 015.



W.P.No.22002 of 2023

WEB COPY

4. The Chairman
The Tamil Nadu Pollution Control Board
76, Anna Salai, Guindy
Chennai – 600 032.
5. The Member Secretary
CMDA, Thalamuthu Natarajan Maligai
No.1, Gandhi Erwin Road
Egmore, Chennai – 8.
6. The Commissioner
Greater Chennai Corporation
Rippon Building, Chennai.
7. The Chennai Metro Water Supply
and Sewerage Board
Rep. by its Managing Director
Mount Road, Chennai.
8. M/s.Voora Property Developers Private Limited
Rep. by its Director
Having Office at Voora JK Tower, 4th Floor
No.28, Bazullah Road
T.Nagar, Chennai – 600 017. .. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus, directing the respondents 1 to 7 to demolish the illegal construction of large-scale multistoried building abutting the seashore comprised in R.S.No. 4061/4 of Block No. 78 old Survey Nos. 3761 3762 and 3763 of Tondiarpet Village, Toondiarpet Taluk, Chennai by the 8th respondent.



W.P.No.22002 of 2023

WEB COPY

For the Petitioner : Mr.K.Venkateswaran
For the Respondents : Mr.P.Muthukumar
State Government Pleader
assisted by Mr.Karthick Jagannath
Government Advocate
for R1 to R3

Mr.C.N.Vinobha
for R5

Mr.D.B.R.Prabhu
for R6

ORDER

(Made by the Hon'ble Chief Justice)

We heard Mr.K.Venkateswaran, learned counsel for the petitioner, Mr.P.Muthukumar, learned State Government Pleader assisted by Mr.Karthick Jagannath, learned Government Advocate for respondents 1 to 3, Mr.C.N.Vinobha, learned counsel for respondent 5 and Mr.D.B.R.Prabhu, learned counsel for respondent 6

2. Learned counsel for the petitioner submits that respondents 1 to 7 may be directed to take action against the illegal construction of large-scale multi-storied building, abutting the seashore, comprised in R.S.No.4061/4 of Block No.78, Old Survey Nos.3761, 3762 and 3763 of Tondiarpet Village, Toondiarpet Taluk, Chennai.



W.P.No.22002 of 2023

WEB COPY

3. Learned State Government Pleader placed on record the order dated 08.03.2019, wherein, the Tamil Nadu State Coastal Management Authority has resolved to clear the proposal and the proposal is cleared, subject to conditions as enumerated in the said order. If, according to the petitioner, the permission is wrongfully granted, then it is for the aggrieved party to challenge the same.

4. There is nothing before us to conclude that the construction, as alleged, is not in accordance with the permission. If the construction is not in accordance with the permission, then, it is for the petitioner to approach the concerned Authority in that regard.

5. With these observations, the writ petition stands disposed of. There will be no order as to costs.

(S.V.G., CJ.)

(P.D.A., J.)

03.08.2023

Index : Yes/No
Neutral Citation : Yes/No

drm
To

Page 4 of 6



W.P.No.22002 of 2023

WEB COPY

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WEB COPY



W.P.No.22002 of 2023

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W.P.No.22002 of 2023

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