



WEB COPY



W.P.No.21646 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.08.2023

CORAM :

THE HONOURABLE MRS. JUSTICE J.NISHA BANU

AND

THE HON'BLE MRS.JUSTICE N.MALA

W.P.No.21646 of 2023

Dr.J.Soundararajan

... Petitioner

Vs.

1. The District Collector,
O/o District Collectorate Office,
Chengalpattu District.
2. The Member Secretary,
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Maligai,
No.1, Gandhi Irvin Road, Egmore, Chennai 600 008
3. The Tahsildhar,
Sholinganallur Taluk,
Sholinganallur, Chennai 600 119
4. M/s.Radiance Reality Developers India Limited,
A company incorporated under the Companies Act, 1956,
Having its office at
Radiance Towers, 1st Floor,
Old No.110, New No.111, 33 Feet Road,
Anna Salai, Guindy, Chennai 600 032
- 5) The Commissioner,
Greater Chennai Corporation,
Chennai 600 003



W.P.No.21646 of 2023

6) The Commissioner,
St.Thomas Mount Panchayat
Union @ Chitlapakkam,
Chennai 600 064

... Respondents

** RR 5 & 6 impleaded vide order dated 31.07.2023 made in W.M.P.No.22051 of 2023*

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st and 3rd respondents pass orders on the representation dated 03.07.2023 by inspecting the illegal construction of car parking above the water sump in car park no.A-705 at Radiance Mercury, Gandhi Society Main Road, Perumbakkam, Chennai 600 131.

For Petitioner	: Dr.S.Lingesh
For RR 1 & 3	: Mr.R.Vigneshwaran, Government Advocate
For R-2	: Mr.C.N.Vinobha
For R-4	: Mr.Aruna Mohan
For R-5	: Mr.P.Gurunathan

ORDER
(Order of the court was made by J.Nisha Banu, J.)

When the matter is taken up for hearing, Mr.C.N.Vinobha, learned counsel appearing on behalf of the second respondent/ Chennai Metropolitan Development Authority produced a proceedings issued by the Member Secretary dated 03.08.2023, in Letter No.EC/S-II/17419/2022. The relevant portion of the said letter is extracted hereunder:-



W.P.No.21646 of 2023

“With reference to the above petitions in reference 3rd cited, it is informed that you are requested to remove unauthorized covered parking made with a tin sheet on the western side (Front set-back) and North-West corner of the open car parking area of the building at Survey Nos.260/1. 2B, 3A, 3B, 265/3, 266/1, 4, 267/1A, 268/1A, 1B, 268/2,3 of Perumbakkam Village within the Limits of St.Thomas Mount Panchayat Union within 10 days time and inform the same in CMDA, failing which CMDA will take further enforcement action”.

2. Considering the fact that the 2nd respondent had taken action against the 4th respondent-builder by proceedings dated 03.08.2023, respondents 2 ,5 & 6 are directed to take further action in accordance with law. The writ petition is disposed of with the above observation. No costs.

(J.N.B., J.) (N.M., J.)
25.08.2023

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No

sts



WEB COPY



W.P.No.21646 of 2023

J.NISHA BANU, J.,
and
N.MALA, J.,

To:

1. The District Collector,
O/o District Collectorate Office, Chengalpattu District.
2. The Member Secretary,
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Maligai,
No.1, Gandhi Irvin Road, Egmore, Chennai 600 008
3. The Tahsildhar,
Sholinganallur Taluk, Sholinganallur, Chennai 600 119
- 4) The Commissioner,
Greater Chennai Corporation, Chennai 600 003
- 5) The Commissioner,
St.Thomas Mount Panchayat
Union @ Chitlapakkam, Chennai 600 064

Order made in
W.P.No.21646 of 2023

25.08.2023