



WEB COPY



W.P.No.23635 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 11.10.2023

CORAM

THE HON'BLE MRS.JUSTICE J.NISHA BANU

AND

THE HON'BLE MRS.JUSTICE N.MALA

W.P.No.23635 of 2023

Mrs.M.Reena

... Petitioner

Vs.

1.The Commissioner,
The Greater Chennai Corporation,
Rippon Building,
Park Town,
Chennai – 600 003.

2.The Assistant Commissioner,
Zone-XIII, No.115,
Dr.Muthulakshmi Salai,
L.B.Road, Adyar,
Chennai – 600 020.

3.Mr.Praveen Babu

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 2 to take immediate steps to demolish the illegal construction put in the premises No.50/4, Narayanasamy Garden



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First Street, R.A.Puram, Chennai – 600 028 in pursuant to the petitioner representation dated 21.07.2023 issued against the third respondent.

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For Petitioner : Mr.M.P.Saravanan
Mr.Arunkumar Rajan

For R1 & R2 : Mr.D.B.R.Prabu

For R3 : Mr.D.Prabhu Mukunth ArunKumar for
Mr.Sudhakar Raj

* * * * *

ORDER

[Order of the Court was made by J.NISHA BANU,J.]

This Writ Petition is filed to direct the respondents 1 to 2 to take immediate steps to demolish the illegal construction put up in the premises No.50/4, Narayanasamy Garden First Street, R.A.Puram, Chennai – 600 028.

2.The learned counsel for the petitioner submitted that the petitioner is the permanent resident of No.50/4, Narayanasamy Garden First Street, R.A.Puram, Chennai – 28 and the third respondent is the owner of the building. On 21.07.2023, the petitioner sent a representation to the 1st and 2nd respondents to take immediate steps to demolish the illegal construction put up in the above said premises, since no action is taken on the said representation, the petitioner has filed the present writ petition.



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3.The learned counsel for the third respondent filed counter affidavit stating that there is valid sanctioned plan granted by the Corporation of Chennai vide 13.12.2022 for construction of stilt plus three floors. Hence the question of demolition and reconstruction will not arise since the same is in conformity with the present planning permission.

4.The learned counsel for the third respondent submitted that the third respondent has obtained planning permission on 16.12.2022 from the Greater Chennai Corporation and also denied the allegation made by the petitioner.

5.In the foregoing facts and circumstances of the case, the third respondent is directed to construct the building in accordance with the sanctioned plan. If any deviation is found in the said building, the Greater Chennai Corporation is at liberty to take action as per the Rules.

6.With the above direction, this Writ Petition stands disposed of. However, there shall be no order as to costs.

J.N.B.J., N.M.J.,
11.10.2023

Index : yes/no



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Internet : yes/no
Speaking order/Non-speaking order
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To

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J.NISHA BANU, J.
&
N.MALA, J.

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