



W.P.No.24087 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

AND

THE HONOURABLE MR.JUSTICE P. DHANABAL

W.P.No.24087 of 2022

S.Karthikeyan ... Petitioner

versus

- 1.The District Collector,
Chengalpattu District,
Collector Office, GST Road,
Chengalpattu District -603001.
- 2.The Director of Municipal Administration,
Directorate of Municipal Administration,
No.75, Urban Administrative Building,
Santhome High Road, MRC Nagar,
Raja Annamalai, Chennai -600028.
- 3.The Member Secretary,
Chennai Metropolitan Development Authority,
Thalamuthu-Natarajan Maaligai,
No.1, Gandhi Irwin Road, Egmore,
Chennai- 600008.
- 4.The Commissioner,
Tambaram City Municipal Corporation,
Chennai-600 059.
- 5.Mrs.B.Kasthuri



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6.M/s.Dinesh Construction,
Represented by its Proprietor, Mr.T.A.Balaraman.

7.Mr.John Premchander ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for the issuance of a writ of Mandamus, directing first, second, third and fourth respondent authorities to take necessary action to demolish the illegal Falt Unit "G1", constructed on the ground floor of the residential apartment "Dinesh Diamond Apartment" comprised in Resurvey No.332/3A Part and 332/3C Part and presently Town Survey No.15, Block-22, Ward-H, of Tambaram, Chennai-600 059, Tambaram Taluk, Chengalpattu District, by encroaching the car parking in violation to the approved building plan permit, within specified period.

For Petitioner : I.Prakash Raj

For Respondents : Mr.E.Vijay Anand
Additional Government Pleader
for respondents 1 & 2
Mr.C.N.Vinoha
Standing Counsel for CMDA
for third respondent
Mr.P.Srinivas
for fourth respondent
Mr.S.M.S.Sriram
for respondents Nos.5 and 6
No appearance for 7th respondent



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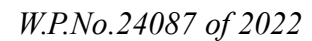
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ORDER

(Order of the Court was made by *D.KRISHNAKUMAR, J.*)

This writ petition has been filed for a Mandamus, directing first, second, third and fourth respondent authorities to take necessary action to demolish the illegal Falt Unit "G1", constructed on the ground floor of the residential apartment "Dinesh Diamond Apartment" comprised in Resurvey No.332/3A Part and 332/3C Part and presently Town Survey No.15, Block-22, Ward-H, of Tambaram, Chennai-600 059, Tambaram Taluk, Chengalpattu District, by encroaching the car parking in violation to the approved building plan permit, within specified period.

2. A report has been filed by the fourth respondent/Commissioner of Corporation, wherein it is stated that, on receipt of the notice in the present writ petition, the respondent herein came to know about the violation in the property in question. After receipt of the copy of the affidavit in the present writ petition, the property in question was inspected on 26.09.2022 by the officials



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5. Considering the statement made in the above report, the respondent Corporation is directed to proceed further for taking necessary action for the violation of the deviation as per the approved plan. The said action shall be taken within a period of twelve weeks from the date of receipt of a copy of this order, and if necessary, opportunity shall be granted to the parties.

6. With the above directions, the writ petition stands disposed of. There will be no order as to costs.

[D.K.K., J.] [P.D.B., J.]
19.06.2023

Index : Yes/No
Neutral Citation : Yes/No
mrn



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D.KRISHNAKUMAR, J.
and
P. DHANABAL, J.

(mrn)

To

- 1.The District Collector,
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