



W.P.No.25341 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

AND

THE HONOURABLE MR.JUSTICE P. DHANABAL

W.P.No.25341 of 2022

K.Kumarandoss

... Petitioner

versus

1.The Commissioner,
Greater Chennai Corporation,
Rippon Building,
Chennai- 600 003.

2.The Executive Engineer, (Zone 5)
Building Department,
Greater Chennai Corporation,
Rippon Building,
Chennai- 600 003.

3.N.K.Gopi

4. The Secretary to Government,
Housing and Urban Development Department,
Fort St.George, Chennai-2,

... Respondents

(R4 is suo motu impleaded by order
dated 26.06.2023, by DKKJ and PDBJ)



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for the issuance of a writ of Mandamus directing the respondents 1 and 2 herein to take appropriate steps against the unauthorized construction put up by the third respondent in Old Door No.12, New Door No.29, Agraharam Street, Chintadripet, Chennai-600 002, within a time frame fixed by this Court and pass orders.

For Petitioner : Mr.A.Tamilvanan
For Respondents : Mr.D.B.R.Prabhu
Standing Counsel for Corporation
for respondents 1 and 2
Mr.Rajesh Ramanathan
for third respondent

ORDER

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

This writ petition has been filed for a Mandamus directing the respondents 1 and 2 herein to take appropriate steps against the unauthorized construction put up by the third respondent in Old Door No.12, New Door No.29, Agraharam Street, Chintadripet, Chennai-600 002.

2. Learned counsel appearing for the third respondent has stated that they have preferred a statutory appeal under Sections 80(A) & 80(A)(3) of the Tamil Nadu Town and Country Planning Act, 1971, before the Government on 21.12.2021 and the same was numbered as Special Revision Petition No. 232 of 2022. The said application is still pending.



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3. Learned counsel for the petitioner has also submitted that if the aforesaid appeal is pending, then the writ petition may be disposed of with appropriate direction to the Government to dispose of the appeal, within the stipulated time.

4. In view of the above submissions, since Government is not a party in this writ petition, by consent of parties, this Court, suo moto impleads the Secretary to Government, Housing and Urban Development Department, Fort St.George, Chennai-2, as the fourth respondent in this writ petition. Thus, we direct the newly impleaded fourth respondent/Government to dispose of the said Special Revision Petition No.232 of 2022, dated 21.12.2021, if it is in order, on its own merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

5. 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.]
26.06.2023

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



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

(mrn)

To

- 1.The Commissioner,
Corporation of Chennai,
Rippon Buildings,
Chennai-600 003.
- 2.The Assistant Commissioner,
Corporation of Chennai,
Zone X, Kodambakkam,
Chennai- 600 024.
3. The Secretary to Government,
Housing and Urban Development Department,
Fort St.George, Chennai-2,

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