



W.P.No.29428 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.11.2023

CORAM

THE HONOURABLE Mrs. JUSTICE J.NISHA BANU
AND
THE HONOURABLE Mrs.JUSTICE N.MALA

W.P.No.29428 of 2023

Dhanalakshmi,
W/o Late Chinnappan

.... Petitioner

VS

1. The Commissioner,
Greater Chennai Corporation,
Rippon Building,
Chennai - 600 003.
2. The Executive Engineer,
Zone 9,
Chennai Corporation Office,
No.8, 4th cross Street, Lake Area,
Nungambakkam,
Chennai - 600 034.
3. Sekar,
Son of Ashokan,
No.140, Shanmugam Pillai street,
Mylapore,
Chennai - 600 004.

.... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the 1st respondent herein to consider and pass a detailed, speaking and reasoned order on the representation submitted by the petitioner dated 05.09.2023 on merits and in accordance with law within a time frame that may be stipulated by this court.

For Petitioner : Mr.M.Rajavelu

For Respondents : Mr.D.B.R.Prabu,
Standing Counsel for R1 and R2.
Mr.Madhankumar for R3

ORDER

(Order of the Court was made by J.NISHA BANU, J.,)

This writ petition has been filed to issue a Writ of Mandamus to direct the 1st respondent herein to consider and pass a detailed, speaking and reasoned order on the representation submitted by the petitioner dated 05.09.2023 on merits and in accordance with law within a time frame that may be stipulated by this Court.

2. When the matter came up for hearing on 03.11.2023, there was no representation for the petitioner and hence, the matter was directed to be posted under the caption 'for dismissal' today. Today, the learned counsel for



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the petitioner seeks for short accommodation. However, the learned Standing Counsel appearing for the Greater Chennai Corporation has filed a status report wherein at paragraphs Nos.3 to 5, it has been stated as follows:

"3. I submit that on receipt of the representation from the petitioner herein the site in question at Door No.140, Shanmugapillai street, Mylapore, Chennai - 600 004 was inspected by the officials of Greater Chennai Corporation and found that the 3rd respondent herein has commenced the construction of the building in the said site.

4. I submit that after inspecting the site in question action has been taken by issuing a Notice for Production of Documents dated 10.10.2023 under Section 56 and 57 of Tamil Nadu Town and Country Planning Act, 1971 to the 3rd respondent. Since the 3rd respondent refused to receive the same, the above said notice was affixed on the wall of ongoing construction of the building and photographs were taken.

5. I submit that further action against the 3rd respondent building will be taken as per the provision of Tamil Nadu Town and Country Planning Act, 1971."

3. Considering the above statement made in the status report dated



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06.11.2023 filed by the Greater Chennai Corporation, the 1st and 2nd respondents are directed to take further action as per the provisions of the Tamil Nadu Town and Counter Planning Act, 1971.

4. With the above direction, the Writ Petition is disposed of. No costs.

(J.N.B., J.) (N.M., J.)
06.11.2023

vsi

Index : Yes / No

Internet : Yes / No

To

1. The Commissioner,
Greater Chennai Corporation,
Rippon Building,
Chennai - 600 003.
2. The Executive Engineer,
Zone 9,
Chennai Corporation Office,
No.8, 4th cross Street, Lake Area,
Nungambakkam,
Chennai - 600 034.



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

vsi

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