



WEB COPY



W.P.No.11471 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.01.2023

CORAM :

THE HON'BLE MR. JUSTICE R. MAHADEVAN

AND

THE HON'BLE MR. JUSTICE MOHAMMED SHAFFIQ

W.P.No.11471 of 2017 &
W.M.P.No.12456 of 2017

B.Venkatesh

... Petitioner

Vs.

- 1.The Commissioner,
Corporation of Chennai,
Rippon Building,
Chennai - 600 002.
- 2.The Zonal Officer,
Corporation of Chennai,
For Division No.120,
Zone 15, L.B.Road,
Adyar, Chennai - 600 020.
- 3.The Assistant Commissioner,
Corporation of Chennai,
Zone 15, Division No.120,
Rajivi Gandhi Salai,
Sholinganallur, Chennai - 600 119.
- 4.Karunakaran
- 5.Ramachandran
- 6.Sarfuddin



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7.The Assistant Engineer,
TNEB / TANGEDCO,
Sholinganallur, Chennai.
(R-7 impleaded suo motu
as per order dated 28.02.2018)

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Mandamus, directing the respondents 1 to 3 to remove the illegal superstructure constructed by the fourth to sixth respondents measuring an extent of 3010 sq.ft. (1 Ground and 610 sq.ft) Plot No.81, S.No.2/1B-3-B, now M.G.R. Nagar, 2nd Street, Panaiyur, Sholinganallur Village, Sholinganallur Taluk, Chidambara Nagar, Co-operative House Site, Kancheepuram District.

For petitioner : Mr.T.Ramachandran

For respondents : Mr.G.T.Subramanian
Special Government Pleader for R1 to R3

Mr.Krishnakumar
For M/s.Sarvabhuman Associates for R4 & R5

Mr.N.Thirunavukarasu for R6

Mr.S.K.Rameshwar for R7

ORDER

(Order of the Court was made by R. MAHADEVAN, J.)

The petitioner has come up with this writ petition seeking a direction to the respondent authorities to remove the superstructure put up by the respondents 4 to 6 measuring an extent of 3010 sq.ft. in Plot No.81, Survey No.2/1B-3-B, now MGR Nagar 2nd street, Panaiyur, Sholinganallur Village, Sholinganallur Taluk,



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Chidambara Nagar Co-operative House Site, Kancheepuram District.

2.When the matter was taken up for consideration, the learned counsel appearing for the fourth and fifth respondents submitted that the respondents 4 and 5 have filed an appeal before the Government under Section 80-A of the Tamil Nadu Town and Country Planning Act, 1971 and the same is pending consideration.

3.The learned counsel appearing for the sixth respondent submitted that the sixth respondent was inducted as tenant in the subject property and he has vacated the same.

4.In view of the above submissions, the writ petition is disposed of with liberty to the petitioner to approach the authority concerned to work his remedy. There is no order as to costs. Consequently, connected miscellaneous petition is closed.

[R.M.D,J.] [M.S.Q, J.]
24.01.2023

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Speaking (or) Non-Speaking Order
Internet : Yes.
Index : Yes.



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R. MAHADEVAN, J.
and
MOHAMMED SHAFFIQ, J.

r n s

To

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