



W.P.No.30941 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.11.2023

CORAM

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

W.P.No.30941 of 2023

M.G.Kubendran
S/o M.Gangadharan

.... Petitioner

vs

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

2. The Zonal Officer,
Zone-6,
Chennai Corporation,
Chennai - 600 012.

3. The Executive Engineer,
Zone 6, Ward 76,
Chennai Corporation,
Chennai - 600 012.

4. K.Shailaja,
W/o Karunakaran

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India
to issue a Writ of Mandamus to direct the respondents 1 to 3 to take action



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against the 4th respondent for the unauthorized / illegal construction put up in R.S.No.2867/4 & R.S.No.2867/21, bearing Door No.17/2, Venkatammal Samathi Street, Purasaiwakkam, Chennai - 600 007 by considering the petitioner's representation dated 29.09.2023.

For Petitioner : Mr.C.Harish

For Respondents : Mr.D.B.R.Prabu,
Standing Counsel for R1 to R3
R4 - service awaited

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 respondents 1 to 3 to take action against the 4th respondent for the unauthorized / illegal construction put up in R.S.No.2867/4 & R.S.No.2867/21, bearing Door No.17/2, Venkatammal Samathi Street, Purasaiwakkam, Chennai - 600 007 by considering the petitioner's representation dated 29.09.2023.

2. Today, the learned Standing Counsel appearing for the respondents 1 to 3 has filed a status report dated 14.11.2023, in which, the relevant portion at paragraph No. 5 reads as follows:

"5. I submit that while the matter stood thus, the petitioner herein has given a representation dated 29.09.2023, requesting



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to take action against the 4th respondent building at Door No.17/2, Venkatammal Samathi Street, Purasaiwakkam, Chennai - 600 007. I further submit that, since the 4th respondent herein has failed to comply with the earlier notice dated 11.03.2023 the entire building has been treated as unauthorized one and further action has been taken by issuing a Locking & Sealing Notice dated 11.10.2023 under Sections 56 & 57 read with Section 85 of Tamil Nadu Town and Country Planning Act, 1971."

3. From the above, it is seen that since the 4th respondent herein has failed to comply with the earlier notice dated 11.03.2023, the entire building has been treated as an unauthorized one. Therefore, the respondents 1 to 3 are directed to take further enforcement action as per the notice dated 11.10.2023 issued under Sections 56 & 57 read with Section 85 of Tamil Nadu Town and Country Planning Act, 1971, in accordance with law. Accordingly, the Writ Petition is disposed of. No costs.

(J.N.B., J.) (N.M., J.)
16.11.2023

vsi

Index : Yes / No

Internet : Yes / No



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To

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