



WEB COPY



W.P. No. 32071 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.12.2023

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THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 32071 of 2023

K.K. Sreeraman

... Petitioner

-VS-

1. Zonal Officer No.VI,
Corporation of Greater Chennai,
Ayanavaram, Chennai.

2. Assistant Engineer,
T.N.E.B.,
Perambur, Chennai 600 011.

3. Commissioner of Police,
Vepery, Chennai 600 007.

4. Selvi

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus directing the 1st respondent to enquire the petitions and complaint made by the petitioner on 30.07.2021, respectively.

For Petitioner : Mr. K.Venkatesan

For Respondents : Ms. K.Ashwini Devi (R1)

Mr. L.Jai Venkatesh (R2)
Standing Counsel



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Mr. S.Rajkumar (R3)
Additional Public Prosecutor

Mr. R.Ganesh Kumar (R4)

ORDER

Heard Mr. K.Venkatesan, Learned Counsel for the Petitioner, Ms. K.Ashwini Devi, Learned Counsel for the First Respondent, Mr. L.Jai Venkatesh, Learned Standing Counsel appearing for the Second Respondent, Mr. S.Rajkumar, Learned Additional Public Prosecutor appearing for the Third Respondent and Mr. R.Ganesh Kumar, Learned Counsel appearing for the Fourth Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. The grievance ventilated by the Petitioner is that he has made a representation dated 30.07.2021 to the First Respondent to take action regarding deviations from the approved plan in the construction of the building in Subashree Flats, Bharathi Main Road, Perambur, Chennai – 600011, but as it did not evoke any response, it has necessitated the filing of this Writ Petition.



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3. In furtherance to the order dated 16.11.2023 passed by this Court, the

First Respondent has filed status report in which it is stated as follows:-

“5. I submit that the building in question at No.10/25, Subsaree Flats, Bharathi Main Road, Perambur, Chennai 600 011, was inspected by the officials of Greater Chennai Corporation and found that the 4th respondent herein had converted the residential flat into a commercial (beauty parlor). Further at the time of inspection the 4th respondent herein had informed that she had converted the tax assessment of her flat from residential to commercial.

6. I respectfully submit on 14.12.2023 a letter addressed to writ petitioner calling for personal inquiry on 22.12.2023 at 11 a.m. Hence, after the due inspection of entire suite flat. Appropriate enforcement action will be initiated as per Tamil Nadu Town and Country Planning Act.

7. I submit that after inspecting the building in question action has been taken by issuing a Notice Calling for Approved Plan under Section 56 (1) and 57 read with Section 85 of Tamil Nadu Town and Country Planning Act, 1971 to all the owners/occupiers of the building in question.



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8. *I submit that further action against the building in*

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In view of the same, nothing remains for further consideration in the Writ Petition, but if the Petitioner still has any grievance to be redressed in the matter, he is not precluded from working out his rights before the proper forum in the manner recognized by law.

In the result, the Writ Petition is disposed with the aforesaid observations. No costs.

19.12.2023

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 14.02.2024.

gsa

To

1. The Zonal Officer No.VI,
Corporation of Greater Chennai,
Ayanavaram, Chennai.
2. The Assistant Engineer,
T.N.E.B.,
Perambur, Chennai 600 011.
3. The Commissioner of Police,
Vepery, Chennai 600 007.



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P.D. AUDIKESAVALU, J.

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