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W.P.No.33148 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 15.12.2023**

CORAM

**THE HONOURABLE MRS. JUSTICE J.NISHA BANU  
AND  
THE HONOURABLE MRS. JUSTICE N.MALA**

**W.P.No.33148 of 2023  
and  
W.M.P.Nos.32934 & 32837 of 2023**

R.Kalyani

... Petitioner

Vs.

1. The Member-Secretary,  
Chennai Metropolitan Development Authority,  
“Thalamuthu Natarajan Building”,  
No.1, Gandhi Irwin Road, Egmore,  
Chennai – 600 008.
2. The Commissioner,  
Greater Chennai Corporation,  
Ripon Buildings,  
Chennai – 600 003.
3. The Executive Engineer,  
Zone-X, Greater Chennai Corporation,  
No.64, NSK Salai,  
Kodambakkam,  
Chennai – 600 024
4. Krishnamurthy



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5. M/s. Ananyakrishnaa Constructions Pvt.Ltd.

Rep. by its Managing Director,  
No.110, Ground & First Floor, Lakshmanasamy Salai,  
K.K.Nagar,  
Chennai – 600 078.

... Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus to direct the respondents 2 & 3 to consider the Letter No.EC/C-1/5334/2023 dated 21.09.2023 of the 1<sup>st</sup> respondent to examine the construction and take necessary enforcement action against the construction at old Door No.81, New Door No.112, 3<sup>rd</sup> Street, Kamdar Nagar, Mahalingapuram, Nungambakkam, Chennai- 600 034 by the respondents 4 & 5.

For Petitioner : Mr.V.Chandrasekaran

For Respondents : Mr.R.Thamaraiselvam for R1  
Mr.R.B.R.Prabu,  
Standing Counsel for R2 & R3  
Mr.T.Thiageswaran for R4 & R5

### **ORDER**

(Order of the Court was made by N.MALA, J.,)

This writ petition is filed for issuance of Writ of Mandamus to direct respondents 2 & 3 to consider the Letter No.EC/C-1/5334/2023 dated 21.09.2023 of the 1<sup>st</sup> respondent to examine the construction and take necessary enforcement action against the construction at old door No.81, New Door No.112, 3<sup>rd</sup> Street, Kamdar Nagar, Mahalingapuram, Nungambakkam, Chennai- 600 034 by the respondents 4 & 5.



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2. When the matter was taken up the learned counsel for the petitioner after perusing the inspection report of the 3rd respondent which states that the deviations found were within condonable limits, fairly submits that he can have no objections. The counsel submits that the only grievance of the petitioner is that taking advantage of the condonable limit, the 4<sup>th</sup> and the 5<sup>th</sup> respondents should not make any further constructions on the deviated portion.

3. In reply, the learned counsel appearing for the 4<sup>th</sup> and 5<sup>th</sup> respondents would submit that the construction would be made strictly in accordance with the approved plan and if any, deviation is found, it will be removed.

4. Recording the above submissions of the respective counsels, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Index : Yes / No  
Internet : Yes / No  
vsi

(J.N.B., J.)

(N.M., J.)

15.12.2023



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

vsi

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