



WEB COPY



W.P.No.579 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.03.2024

CORAM:

**THE HON'BLE MR.JUSTICE S.S.SUNDAR
and
THE HON'BLE MR.JUSTICE N.SENTHILKUMAR**

W.P.No.579 of 2024

Dr. Munir Ahamed Rabbani

...Petitioner

vs.

1.The Member Secretary,
Chennai Metropolitan Development Authority,
Chennai.

2.The Commissioner,
Tambaram Corporation,
No.1, Muthuranga Mudali Street,
Tambaram West,
Chennai - 600 045.

3.The Zonal Officer,
Tambaram Corporation,
No.1, Muthuranga Mudali Street,
Tambaram West,
Chennai - 600 045.

4.The Commissioner,
Kattangulathur Panchayat Union,
Chengalpattu District.

5.Block Development Officer,
Kattangulathur Panchayat Union,
Chengalpattu District.

6.Mr.Sathyanarayanan

...Respondents



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Prayer in : Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus directing the respondents particularly 1st respondent to take action against the illegal construction which was put up by 6th respondent in 4th Floor, Balcony Area, (additional covered balcony with size of 3.20m x 1.20m approximately @ Southern Sid B- Block), Habiterra Apartment, GST Road, Urapakkam – 603 210 as per the order dated 04.01.2023 in W.P.No.21573 of 2023.

For Petitioner : Mr.G.Mohammed Aseef

For Respondents : Mr.Y.Bhuvanesh Kumar, SC for R1
Mr.R.Kumaravel for R2 & R3
Mr.M.R.Gokul Krishnan for R4 & R5
Additional Government Pleader

ORDER

(Order of the Court was made by S.S.Sundar, J.)

The learned Special Government Pleader states that action has already been initiated under Section 56 of the Tamil Nadu Town and Country Planning Act, 1971 for demolition and alteration of the building in accordance with the planning permission.



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2.Despite taking notice and filing Vakalat for the sixth respondent, the learned counsel is not present before this Court. Since the official respondents have already initiated action by issuing notice for the unauthorized construction vide proceedings dated 04.03.2024, this Court directs the official respondents to take further action after providing sufficient opportunity to the sixth respondent and hearing the petitioner, if required.

3.With the aforesaid directions, the Writ Petition is disposed of.

No costs.

(S.S.S.R.,J.) (N.S.,J.)
26.03.2024

Index: yes/no
Speaking order:yes/no
Neutral Citation:yes/no
pam



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S.S.SUNDAR, J.
and
N.SENTHILKUMAR, J.

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