



W.P.NO.296 OF 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.01.2024

CORAM:

THE HONOURABLE MR. JUSTICE R.SUBRAMANIAN

AND

THE HONOURABLE MR. JUSTICE R.SAKTHIVEL

W.P.NO.296 OF 2024

AND WMP NO.366 OF 2024

Dr.Geetha Devadas

... Petitioner

Vs.

1.The Commissioner

The Greater Chennai Corporation
Rippon Building,
Chennai – 600 003.

2.The Regional Deputy Commissioner (Central)

Corporation of Chennai
2nd Cross Street (East), Pulla Avenue,
Shenoy Nagar, Chennai – 600 030.

3.The Executive Engineer

Corporation of Chennai
Enforcement Region - Central
2nd Cross Street (East), Pulla Avenue,
Shenoy Nagar, Chennai – 600 030.



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4.The Assistant Executive Engineer

Division – 103,

Corporation of Chennai

2nd Cross Street (East), Pulla Avenue,

Shenoy Nagar, Chennai – 600 030.

5.The Assistant Engineer

Ward – 103, Corporation of Chennai,

Chennai – 600 040.

6.The Vigilance Officer

Vigilance Cell,

Corporation of Chennai

Rippon Building, Chennai – 600 003.

7.The Member Secretary

Chennai Metropolitan Development Authority

No.1, Gandhi Irwin Road,

Chennai – 600 008.

8.V.Vyas

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for Writ of Mandamus, directing the respondents 1 to 2 to take immediate action to demolish the unauthorized construction put up by the 8th respondent in Plot No.4575 B, Door No.Y225, 6th Main Road, Anna Nagar, Chennai – 600 040, by considering the petitioner's representation dated 16.12.2023.



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For Petitioner : Mr.S.Saravanan

For Respondents 1–6: Mr.D.B.R.Prabhu
Standing Counsel
for Greater Chennai Corporation

For Respondent-7 : Mr.Y.Bhuvanesh Kumar
Standing Counsel for CMDA

ORDER

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

The petitioner, by her representation dated 16.12.2023, required the Greater Chennai Corporation to remove the unauthorized construction. The Greater Chennai Corporation, in turn, has issued a notice to the developer / builder of the alleged unauthorized construction on 28.12.2023. The said notice itself gives 15 days time to the developer / builder to produce the documents. At this stage, the petitioner has rushed to this Court with the prayer for Mandamus.



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Considering the fact that the action is already underway, we

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see no reason to entertain the prayer for mandamus and accordingly, the

writ petition is dismissed. This will not, however, preclude the Corporation

from proceeding further with the enquiry, which had already been initiated.

No costs. Consequently, connected miscellaneous petition is closed.

[R.S.M., J.]

[R.S.V., J.]

08.01.2024

Index : No

Internet : Yes

Neutral Citation : No

Speaking Order

TK

To

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R.SUBRAMANIAN, J.

AND

R.SAKTHIVEL, J.

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