



WEB COPY



W.P.No.4957 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.04.2024

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.4957 of 2022

S.Abbas

.. Petitioner

Vs

- 1 The Member Secretary
Chennai Metropolitan Development Authority
Thalamuthu Natarajan Maaligai, No.1
Gandhi Irvin Road, Egmore
Chennai - 600 008.
- 2 The National Highways Authority of India
Sri Balaji Towers 54-28 Butt Rd
Near Kathipara Junction South Phase
SP Industrial Area, Parangi Malai, Guindy
Chennai - 600 016.
- 3 The District Collector
Chennai District, Chennai.
- 4 The Commissioner
Greater Chennai Corporation
Ripon Building
Chennai - 600 003.
- 5 The Zonal Officer



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Zone-XI Valasaravakkam
Chennai - 600 087.

- 6 The Tahsildar
Maduravoyal Taluk
Nolambur Chennai- 600 095.
- 7 The Inspector of Police
K-10 Koyambedu Police Station
Koyambedu
Chennai - 600 107.
- 8 Pratap .. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing respondents 1 to 7 to consider the petitioner's representation dated 22.11.2021 and thereby direct respondents 1 to 7 to remove the deviation, illegal and unauthorized construction and the encroachment made on the National High Way Road, namely Poonamallee High Road, put up in Door No.124, Varalakshmi Nagar Layout, Poonamallee High Road, Maduravoyal, Opp to MGR University, Chennai - 600 095 by the 8th respondent.

For the Petitioner : Mr.B.Gopalakrishnan

For the Respondents : Mr.Sesubalan Raja
for 1st respondent

: Mr.A.Arun Babu
Standing Counsel
for respondents 4 and 5

: Mr.K.Karthik Jegannath
Government Advocate
for respondents 3, 6 and 7

: Mr.V.R.Appaswamee



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for 8th respondent

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ORDER

(Order of the court was made by the Hon'ble Chief Justice)

Heard Mr.B.Gopalakrishnan, learned counsel for the petitioner; Mr.Sesubalan Raja, learned counsel for the first respondent; Mr.A.Arun Babu, learned Standing Counsel for respondents 4 and 5; Mr.K.Karthik Jegannath, learned Government Advocate for respondents 3, 6 and 7; and Mr.V.R.Appaswamee, learned counsel for the eighth respondent.

2. On the last date, we had recorded the statement of learned counsel for the Corporation that there is no encroachment, however, as unauthorized construction was carried out, stop work notice was issued on 8.12.2022 to the eighth respondent.

3. Today, learned counsel for the Corporation submits that the eighth respondent has filed a revision against the said notice. Personal hearing was given to the eighth respondent on 26.3.2024



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and the eighth respondent has been granted three months' time to rectify the defects.

4. Learned counsel for the Corporation further submits that if within three months the defects are not rectified, then the Corporation would take further action as may be permissible under law against the unauthorized construction put up by the eighth respondent. The said statement is accepted.

In view of the aforesaid statement, the writ petition is disposed of. There shall be no order as to costs.

(S.V.G., CJ.)

(J.S.N.P., J.)

03.04.2024

Index : Yes/No
Neutral Citation : Yes/No
sasi



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