



W.P.No.21671 of 2019

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.03.2024

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.21671 of 2019

P.Vasudevan

.. Petitioner

Vs.

1. The Chairman

Chennai Metropolitan Development Authority (CMDA)
Thalamuthu Natarajan Maligai
Gandhi Irvin Salai
Egmore, Chennai – 600 008.

2. The Commissioner

Greater Chennai Corporation
Rippon Buildings
Chennai – 600 003.

3. The Deputy Commissioner

Zone No.10, Chennai Corporation
Kodambakkam Power House
Chennai – 600 024.

4. J.V.Hospital

No.31, Railway Border Road
Kodambakkam, Chennai – 600 024.

.. Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus, directing the 1st and 2nd respondents to take necessary legal action against the unauthorized construction of the said hospital by name J.V.Hospital at No.31, Railway Border Road, Kodambakkam, Chennai – 600 024.

For the Petitioner : Mr.R.S.Mohan

For the Respondents : Ms.P.Veena Suresh
Standing Counsel
for R1

Mr.A.Arun Babu
for R2 and R3

Mr.R.Mohan
for R4

ORDER

(Made by the Hon'ble Chief Justice)

Heard Mr.R.S.Mohan, learned counsel for the petitioner, Ms.P.Veena Suresh, learned Standing Counsel for respondent 1, Mr.A.Arun Babu, learned counsel for respondents 2 and 3 and Mr.R.Mohan, learned counsel for respondent 4.

2. Learned counsel for the petitioner submits that unauthorized construction has been carried out. Permission was only granted for stilt + 2 floors and excess construction has been carried out. Learned



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counsel for the petitioner further submits that permission ought not to have been granted for construction near the railway track.

3. In the present writ petition, the petitioner is not challenging the permission for construction. The said permission is granted in the year 1985 for construction of stilt + 2 floors.

4. We have recorded the submission of learned counsel for respondent 1 that steps are being taken for restoring the subject hospital in compliance with the planning permission. Further action would be taken in accordance with law.

5. The aforesaid submission is sufficient. In the light of that, the present writ petition stands disposed of. There shall be no orders as to costs.

(S.V.G., CJ.)

(D.B.C., J.)

28.03.2024

Index : Yes/No
Neutral Citation : Yes/No

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THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY, J.

(drm)

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