



W.P.No.11345 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.07.2024

CORAM:

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

W.P.No.11345 of 2024

A.S.Indira

...Petitioner

vs.

1.The Corporation Administration Commissioner,
MCR Nagar,
Raja Annamalaipuram,
Chennai – 600 028.

2.The Commissioner,
Kundrathur Municipality,
Kundrathur, Chennai – 600 069.

3.P.Vinod Kumar

...Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to
issue a Writ of Mandamus to direct the 1 & 2 respondents to take action
on the petitioner's representation dated 07.02.2024.

For Petitioner : Mr.J.Venkatesa Perumal

For Respondents : Mr.R.Gokul Krishnan for R1
Additional Government Pleader
Mr.P.Srinivas for R2
Standing Counsel
R3 – Tapal returned
(Addressee cannot be located)



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ORDER

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

This writ petition is filed for issuance of writ of Mandamus to direct the 1 & 2 respondents to take action on the petitioner's representation dated 07.02.2024.

2.Learned Standing Counsel appearing for the Local Authority viz., the Commissioner, Kundrathur Municipality has produced before this Court the proceedings dated 15.06.2024 issued to the private respondent to demolish the part of the building which is in violation of the building plan approval. Following the same, Lock and Seal notice dated 09.07.2024 has been issued to the private respondent.

3.No special revision was filed under Section 80A of the Tamil Nadu Town and Country Planning Act, 1971 by the private respondent. Therefore, this Court for the present permit the official respondents to proceed further with the enforcement action as against the private respondent.

4.It appears that the private respondent has obtained planning



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permission and approval for the building. However, it is reported by the learned Standing Counsel appearing for the Local Authority that the construction put up by the private respondent is in violation of the approval granted to them.

5.In such circumstances, there is no impediment for the respondents to proceed further with the enforcement action in accordance with law.

6.With the above direction, this writ petition is disposed of.
No costs.

(S.S.S.R.,J.) (N.S.,J.)
10.07.2024

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

To

1.The Corporation Administration Commissioner,
MCR Nagar,
Raja Annamalaipuram,
Chennai – 600 028.

2.The Commissioner,
Kundrathur Municipality,

<https://www.mhc.tn.gov.in/judis>



Kundrathur, Chennai – 600 069.

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

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