



W.P.Nos.17431 & 21226 of 2023

- 1.The Commissioner,
Tiruverkkadu Municipality,
Chennai.
- 2.The Tahsildar,
Poonamallee Tahsildar Office,
Poonamallee,
Thiruvallur District.
- 3.The Assistant Executive Engineer,
Tamil Nadu Electricity Board,
Tiruverkadu.
- 4.M.Tulasi

... Respondents
in W.P.No.21226 of 2023

Prayer in W.P.No.17431 of 2023 : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 1st respondent to take necessary legal action of demolition of the illegal and unauthorized constructions put up by the 3rd respondent at Plot No.21, Co-operative Nagar, Phase IV, Noombal, Thiruverkkadu, Chennai – 600 077, in violation of the approved building plan issued by the 1st respondent.

Prayer in W.P.No.21226 of 2023 : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the



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respondents 1 to 3 to demolish unauthorized construction in Plot No.22 and consequential direction to remove the encroachment made in the 1st respondent road adjacent to Plot No.22, Co-operative Nagar, Phase-IV, Noombal, Thiruverkadu, Chennai, and take necessary action for stoppage of drainage from Plot No.22 to the adjoining plots by considering petitioner's representation dated 08.05.2023 and 05.07.2023.

For Petitioner	:	Mr.S.William in W.P.No.17431 of 2023 Mr.L.Chandrakumar for Mr.S.Kumaresan in W.P.No.21226 of 2023
For R1 and R2	:	No appearance in W.P.No.17431 of 2023
For R3	:	Mr.L.Chandrakumar for Mr.S.Kumaresan in W.P.No.17431 of 2023
For R1 and R3	:	No appearance in W.P.No.21226 of 2023
For R2	:	Mrs.V.Yamuna Devi Special Government Pleader in W.P.No.21226 of 2023
For R4	:	Mr.S.William in W.P.No.21226 of 2023



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ORDER

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

W.P.No.17431 of 2023 is filed by one M.Thulasi for issuance of a Writ of Mandamus to direct the official respondents to take action against the illegal and unauthorised construction put up by one Mathana in Plot No.21, Co-operative Nagar, Phase IV, Noombal, Thiruverkkadu, Chennai – 600 077. W.P.No.21226 of 2023 is filed by Mathana/private respondent in W.P.No.17431 of 2023 for issuance of a Writ of Mandamus to direct the official respondents to take action against the illegal and unauthorised construction put up by M.Thulasi (petitioner in W.P.No.17431 of 2023) in Plot No.22, Co-operative Nagar, Phase IV, Noombal, Thiruverkkadu, Chennai – 600 077.

2.Learned counsels appearing for the petitioners in both these writ petitions admit that the construction by the other is unauthorized. Now, the learned counsels for the petitioners have consciously agreed that the writ petitions can be disposed of by giving directions to pull down the



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unauthorized construction put up by both the petitioners.

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3.Since both the learned counsels appearing for the petitioners in both the writ petitions have agreed, the offending constructions put by the private respondents in both the writ petition can be pulled down. Accordingly, both **the writ petitions are allowed.** Insofar as W.P.No.17431 of 2023 is concerned, the respondents 1 and 2 in the said writ petition are directed to take action for demolition of illegal and unauthorized construction put up by the 3rd respondent in Plot No.21, Co-operative Nagar, Phase IV, Noombal, Thiruverkkadu, Chennai – 600 077. Insofar as W.P.No.21226 of 2023 is concerned, the respondents 1 to 3 are directed to take action for demolition of illegal and unauthorized construction put up by the 4th respondent in Plot No.22, Co-operative Nagar, Phase-IV, Noombal, Thiruverkadu, Chennai – 600 077.

4.It is needless to say that the official respondents shall issue Show Cause Notice to the private respondents in each writ petition and pass orders after hearing them and giving them a fair opportunity. The official



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respondents are directed to conduct an enquiry and take further action to pull down the unauthorized portions of constructions violating the approved building plan, within a period of twelve weeks from the date of inspection. The inspection shall be in the presence of the private respondents in each writ petition. No costs. Consequently, connected miscellaneous petition is closed.

(S.S.S.R., J.) (N.S., J.)
08.03.2024

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Internet : Yes

Index : Yes / No

Neutral Citation : Yes / No



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To
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- 1.The Municipal Commissioner,
Municipal Office,
Tiruverkkadu Municipality,
Thiruverkkadu,
Chennai – 600 077.
- 2.The Municipal Chairman,
Municipal Office,
Tiruverkkadu Municipality,
Thiruverkkadu,
Chennai – 600 077.
- 3.The Tahsildar,
Poonamallee Tahsildar Office,
Poonamallee,
Thiruvallur District.
- 4.The Assistant Executive Engineer,
Tamil Nadu Electricity Board,
Tiruverkadu.



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

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