



W.P.No.23813 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.08.2024

CORAM :

THE HON'BLE MR.D.KRISHNAKUMAR, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.B.BALAJI

W.P.No.23813 of 2024

B.Sukumar

.. Petitioner

Vs

1.The Commissioner,
Greater Chennai Corporation,
Ribbon Building,
Chennai-600 003.

2.The Zonal office,
Zone-06, Ward-78,
Greater Chennai Corporation,
No.158, Strahans Road,
Pattalam, Chennai-600 012.

3.Kamal Chand Jain

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the first respondent to consider the order dated 6.3.2019 to demolish the unauthorised building Old No.85, New No.161, Angalamman Street, Choolai, Chennai-600 007, Ward No.78 of 3rd respondent.



WEB COPY



W.P.No.23813 of 2024

For the Petitioner : Mr.S.Natarajan
For Respondents : Mr.E.C.Ramesh
Standing Counsel
for respondents 1 and 2

ORDER

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

Seeking demolition of the unauthorised construction put up by the third respondent at Old No.85, New No.161, Angalamman Street, Choolai, Chennai – 600 007, the present writ petition is filed.

2. Learned counsel for the petitioner submits that, though the respondent/Corporation in response to the complaint of the petitioner stated that enforcement action would be taken in accordance with the Tamil Nadu Town and Country Planning Act, 1971, till date the unauthorised structure exists as such and the respondent authorities have not taken any action.

3. Drawing the attention of the court to an order dated 18.4.2024 passed by a learned Single Judge in W.P.Nos.5574 of



W.P.No.23813 of 2024

2019 and 10615 of 2021, learned counsel for the petitioner further submitted that, though the authorities were directed to initiate proceedings as contemplated under Section 78 of the Tamil Nadu Hindu Religious and Charitable Endowments Act, till date the respondent authorities have not taken any action in this regard.

4. Learned counsel for respondents 1 and 2 submitted that the appropriate action in accordance with law would be taken by the authorities, as expeditiously as possible.

5. Considering the overall conspectus of the matter, without expressing any opinion on the merits of the matter, we direct the first respondent to take immediate steps in furtherance of the proceedings of the respondent authorities dated 6.3.2019 and order dated 18.4.2024 passed by a learned Single Judge in W.P.Nos.5574 of 2019 and 10615 of 2021 and remove the unauthorised construction, if any, after following the procedure contemplated under law. The entire exercise shall be completed by the first respondent within a period of twelve weeks from the date of receipt



W.P.No.23813 of 2024

of a copy of this order, of course, after providing an opportunity to the third respondent. There shall be no order as to costs.

(D.K.K., ACJ.) (P.B.B, J.)
20.08.2024

Index : Yes/No
NC : Yes/No
sasi

To:

- 1.The Commissioner,
Greater Chennai Corporation,
Ribbon Building,
Chennai-600 003.
- 2.The Zonal office,
Zone-06, Ward-78,
Greater Chennai Corporation,
No.158, Strahans Road,
Pattalam, Chennai-600 012.



WEB COPY



W.P.No.23813 of 2024

THE HON'BLE ACTING CHIEF JUSTICE
AND
P.B.BALAJI, J.

(sasi)

W.P.No.23813 of 2024

20.08.2024