



WEB COPY



WP No.27830 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.10.2024

CORAM:

THE HON'BLE MR.JUSTICE D. KRISHNAKUMAR

AND

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

WP No.27830 of 2024

E.Anandharaja

... Petitioner

versus

- 1.The Commissioner of Corporation,
Greater Chennai Corporation,
Rippon Building, Chennai.
- 2.Chennai Metropolitan Development Authority,
Member Secretary, Gandhi Irwin Road,
Egmore, Chennai-600008.
- 3.The Regional Deputy Commissioner (Chennai Central),
Zone-8, Greater Chennai Corporation,
No.13B/36B, Pulla Avenue, Shenoy Nagar,
Chennai-600030.
4. Zonal Officer,
Zone-8, Greater Chennai Corporation,
No.13B/36B, Pulla Avenue, Shenoy Nagar,
Chennai-600030.



WP No.27830 of 2024

5.Executive Engineer,
Zone-8, Greater Chennai Corporation,
No.13B/36B, Pulla Avenue, Shenoy Nagar,
Chennai-600030.

6.Assistant Engineer,
Zone-8, Greater Chennai Corporation,
No.13B/36B, Pulla Avenue, Shenoy Nagar,
Chennai-600030.

7.Inspector of Police,
K3 Aminjikarai Police Station, Chennai.

8.M.Shanthi

... Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India, for the issuance of a Writ of Mandamus, directing the respondents 1 to 6 to take action against the unauthorized construction work carried on by the 8th respondent at Door No.15/18, Siraj Street, Ayyavu Colony, Aminjikarai, Chennai-600029, on the basis of the petitioner's complaint dated 05.09.2024 and pass orders.

For Petitioner : Mr.K.Elangoo

For Respondents : Ms.Aswini Devi
Standing Counsel
for respondents 1, 3 to 6.
Mr.C.Manoharan
Standing Counsel for second respondent
Mr.R.Muniyappa Raj
Additional Public Prosecutor
for seventh respondent

ORDER



WP No.27830 of 2024

(Made by D. KRISHNAKUMAR, J.)

The Writ petition is filed for a direction to the respondents 1 to 6 to take action against the unauthorized construction work carried on by the 8th respondent at Door No.15/18, Siraj Street, Ayyavu Colony, Aminjikarai, Chennai-600029, on the basis of the petitioner's complaint dated 05.09.2024.

2. A status report has been filed by the Greater Chennai Corporation, wherein it is stated as follows:

6. The 8th respondent was thus called upon to remove the unauthorized construction within 30 days from the date of receipt of the Lock and Seal Notice. I state that by the time of the next hearing, viz., 17.10.2024, the 8th respondent would still be left with time granted to them to remove the unauthorized construction, and thus the action of Locking and Sealing under Section 56(2A) of the Town and Country Planning Act, 1971 would not have fallen due.

7. I state that upon the expiry of thirty day from the receipt of Lock and Seal notice, the Respondent-Corporation will be empowered to lock and seal the constructed premises deviating or built without proper permission as per Section 56(2A) of the Town and Country Planning Act, 1971.

8. I state that the locking and sealing of



WP No.27830 of 2024

the premises would be the next step in the process if the 8th respondent fails to remove the unauthorized construction within thirty days. The respondent Corporation shall and will take due measures against the premises erected in violation of the rules."

3. It is seen from the status report that respondent corporation is taking action, as against the eight respondent. The respondent Corporation shall take further action against the eight respondent, in accordance with law, without any further delay.

4. With the above directions, the writ petition stands disposed of. There shall be no order as to costs. Consequently, WMP No.30338 of 2024 is closed.

(D.K.K., J.) (P.B.B., J.)
24.10.2024

Index : Yes/No
Neutral Citation : Yes/No
mrn

To
1. The Commissioner of Corporation,
Greater Chennai Corporation,
Rippon Building, Chennai.



WP No.27830 of 2024

- 2.The Chennai Metropolitan Development Authority,
Member Secretary, Gandhi Irwin Road,
Egmore, Chennai-600008.
- 3.The Regional Deputy Commissioner (Chennai Central),
Zone-8, Greater Chennai Corporation,
No.13B/36B, Pulla Avenue, Shenoy Nagar,
Chennai-600030.
4. The Zonal Officer,
Zone-8, Greater Chennai Corporation,
No.13B/36B, Pulla Avenue, Shenoy Nagar,
Chennai-600030.
- 5.The Executive Engineer,
Zone-8, Greater Chennai Corporation,
No.13B/36B, Pulla Avenue, Shenoy Nagar,
Chennai-600030.
- 6.The Assistant Engineer,
Zone-8, Greater Chennai Corporation,
No.13B/36B, Pulla Avenue, Shenoy Nagar,
Chennai-600030.
- 7.The Inspector of Police,
K3 Aminjikarai Police Station, Chennai.



WEB COPY



WP No.27830 of 2024

D. KRISHNAKUMAR, J.

and

P.B. BALAJI, J.

(mrn)

WP No.27830 of 2024

24.10.2024