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W.P.No.34201 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2024

CORAM

THE HONOURABLE MR. JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MR. JUSTICE P.B.BALAJI

W.P.No.34201 of 2024 and
WMP No.37029 of 2024

Dr.T.Vidyasagaran

... Petitioner

Vs.

1. State of Tamil Nadu,
rep. by its Principal Secretary,
Housing and Urban Development Department,
Secretariat, Chennai 600 009
2. Greater Chennai Corporation,
Rippon Buildings, Chennai 600 003.
rep. by its Commissioner and Special Officer.
3. Chennai Metropolitan Development Authority,
rep. by its Member Secretary,
Thalamuthu Natarajan Buildings,
Egmore, Chennai 600 008.
4. Greater Chennai Corporation,
Zonal Office-IX, No.4, 4th cross street,
Lakeview Rod, Chennai 600 034.
rep. by its Executive Engineer.
5. Vasantha
6. Monica
7. Murali

... Respondents

PRAYER: The Writ Petition filed under Article 226 of Constitution of



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India seeking to issue a writ of mandamus, directing the respondents 1 to 4 to initiate appropriate action against the respondents 5 to 7 by exercising their powers under Section 244 and 256 of Chennai City Municipal Corporation Act, 1919 thereby ensuring that the respondents 5 to 7 and their men, agents, servants and other persons claiming through or under them not to carry on the construction in the property bearing new door No.89 (Old No.35), Srinivasa Perumal Sannathi Street, Royapettah, Chennai 600 014 and to demolish the illegal construction put up thereon.

For Petitioner : Mr.M.Vaidhiyanathan

For Respondents : Mr.M.Venkateshwaran,
Special Govt. Pleader
for first respondent

Mr.DBR Prabhu, Standing counsel
for respondents 2 and 4

Mr.C.Manoharan, Standing Counsel
for third respondent

ORDER

(Order of the Court was made by **D.KRISHNA KUMAR, J.**)

This writ petition has been filed to direct the respondents 1 to 4 to initiate appropriate action against the respondents 5 to 7 by exercising their powers under Section 244 and 256 of Chennai City Municipal Corporation Act, 1919, thereby ensuring that the respondents 5 to 7 and



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their men, agents, servants and other persons claiming through or under them not to carry on the construction in the property bearing new door No.89 (Old No.35), Srinivasa Perumal Sannathi Street, Royapettah, Chennai 600 014 and to demolish the illegal construction put up thereon.

2. Learned Standing Counsel appearing for the Corporation submitted that complaint was received from the petitioner only on 03.10.2024 and within four weeks time, he filed the present writ petition. He also submitted that the authorities concerned are looking the matter with regard to the complaint made by the petitioner herein.

3. Inview of the above, we are not inclined to entertain this writ petition, as it is premature. However, it is open to the respondent concerned to take action on the complaint made by the petitioner with regard to the unauthorised construction and to pass appropriate orders in accordance with law, if the respondents 5 to 7 made any unauthorised construction in the subject matter of the property.

4. This writ petition is disposed of accordingly, There shall be no



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order as to costs. Connected miscellaneous petition is closed.

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

15.11.2024

Internet: Yes/No

Index : Yes/No

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To

1. The Principal Secretary,
State of Tamil Nadu,
Housing and Urban Development Department,
Secretariat, Chennai 600 009
2. The Commissioner and Special Officer.
Greater Chennai Corporation,
Rippon Buildings, Chennai 600 003.
3. The Member Secretary,
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Buildings,
Egmore, Chennai 600 008.
4. The Executive Engineer,
Greater Chennai Corporation,
Zonal Office-IX, No.4, 4th cross street,
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and
P.B.BALAJI, J.

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