



W.P.No.35452 of 2024

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.12.2024

CORAM:

THE HONOURABLE MR JUSTICE R.SUBRAMANIAN
AND
THE HONOURABLE MR JUSTICE C.KUMARAPPAN

W.P.No.35452 of 2024

R.Jaya

...Petitioner

Vs.

1. State of Tamil Nadu,
Represented by Secretary,
Housing and Urban Development Department,
Fort St. George, Chennai.
2. The Chairman,
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Buildings,
1, Gandhi Irwin Road, Egmore, Chennai.
3. The Commissioner,
Kundrathur Panchayat Union,
Kundrathu – 600069.
4. The President,
Baraniputhu Town Panchayat,
Kundrathur Panchayat Union,
Chennai – 600122.

5. N.Vinayagamurthy

...Respondents



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Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent, the Commissioner, Kundrathur Town Panchayat Union to act on the representation made by the petitioner Mrs.R.Jaya dated 06.10.2024 expeditiously, within a time frame as may be fixed by this Court.

For Petitioner : Mr.M.K.Viswanath

For Respondents : Mr. P.Balathandayutham,
Special Government Pleader
(for R1, R3 & R4)

Mr. C.Manoharan,
Standing Counsel for CMDA
(for R2)

ORDER



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*(Order of the Court was delivered by **R.SUBRAMANIAN, J.**)*

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We have heard Mr.M.K.Viswanath, the learned counsel for the petitioner, Mr.P.Balathandayutham, the learned Special Government Pleader appearing for the first, third and fourth respondents and MR. C.Manoharan, the learned Standing Counsel for the second respondent.

2. The petitioner seeks a Mandamus, directing the first respondent to take action on the representation made by her, complaining of unauthorized construction by the fifth respondent.

3. The learned Special Government Pleader, appearing for the first, third and fourth respondents, has produced a Form-IV issued to the fifth respondent, pointing out the violations in the building in question.

4. On a perusal of the said Form-IV, it shows that there are certain violations in the setback, as well as the number of floors.

5. In the light of such disclosure, the Writ Petition is disposed of with



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a direction to the authorities concerned to give an opportunity to the fifth respondent while deciding on the issue of unauthorized construction and to pursue the proceedings initiated under Section 56 of the Tamil Nadu Town and Country Planning Act, 1971 to its logical conclusion. No costs.

(R.S.M., J.) (C.K., J.)
16.12.2024

kv
Index : Yes/No
Speaking order /Non Speaking Order
Neutral Citation : Yes/No

To

1. The Secretary,

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and
C.KUMARAPPAN, J.

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