



W.P.No.120 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.01.2024

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.120 of 2024

M.Malliga

..

Petitioner

Vs.

1. The Member Secretary
Chennai Metropolitan Development Authority
Egmore, Chennai – 600 008.
2. The District Collector
Thiruvallur District, Thiruvallur.
3. The Deputy Director of Town and Country Planning
Thiruvallur District, Thiruvallur.
4. The Assistant Director of Panchayats
Thiruvallur District, Thiruvallur.
5. The Commissioner
Puzhal Panchayat Union, Puzhal, Ponneri Taluk
Thiruvallur District.
6. The Village Panchayat President
Vilangadupakkam Village Panchayat
Puzhal Panchayat Union
Ponneri Taluk, Thiruvallur District.



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7. M/s.The Blue Moon Ventures
No.261, Nagathamman Kovil
Vilangadupakkam Village
Ponneri Taluk, Thiruvallur District.
8. M/s.Devi Furniture
No.78, Parthasarathy Nagar
Part 2, Vilangadupakkam Village Panchayat
Puzhal Panchayat Union
Ponneri Taluk, Thiruvallur District.
9. M/s.Kalinga Laminating Industries
Survey No.156/2B4
Dharkas Road, Pallikuppam
Villangadupakkam Village
Ponneri Taluk, Thiruvallur District
Chennai – 600 052.
10. NRM Ready-mix Company
Dharkas Road, Pallikuppam
Villangadupakkam Village
Ponneri Taluk, Thiruvallur District
Chennai – 600 052.
11. Shivmith Polymer Pvt. Ltd. and
Aadhithya Plastic Industries
S.No.388, Kannampalayam Road
Kannampalayam, Villangadupakkam Village
Ponneri Taluk, Thiruvallur District
Chennai – 600 052.
12. Vinayaga Warehouse Pvt. Ltd
S.No.103, 138/C, Dharkas Road
Villangadupakkam Village
Chennai – 600 052.
13. M/s.Ultra Tech Readymix Company



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Sendrambakkam Village
Ponneri Taluk, Thiruvallur District
Chennai – 600 052.

14. TATA Projects
Sendrambakkam Village
Ponneri Taluk, Thiruvallur District
Chennai – 600 052.

15. H.Sudharani

16. Lalita Jain & Upthiyan Chand Nassar

17. Chandra Prakash

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus, directing the respondents 1 to 6 to take appropriate action on the unauthorized construction of buildings, godowns, warehouses raised by the private respondents based on the representation dated 09.01.2023, 27.06.2023, 03.07.2023 and 05.08.2023.

For the Petitioner : Mr.C.Prabakaran

For the Respondents : Mr.Y.Bhuvanesh Kumar
for R1

Mr.P.Muthukumar
State Government Pleader
for R2 to R6



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ORDER
(Made by the Hon'ble Chief Justice)

Heard Mr.C.Prabakaran, learned counsel for the petitioner, Mr.Y.Bhuvanesh Kumar, learned counsel for respondent 1 and Mr.P.Muthukumar, learned State Government Pleader for respondents 2 to 6.

2. Learned counsel for the petitioner submits that the private respondents have carried out illegal constructions without obtaining necessary permission.

3. In the present writ petition, no details are given as of the survey numbers; where the constructions are carried out; and on what basis the petitioner came to the conclusion that permission was not obtained.

4. Learned counsel for the petitioner submits that an application has been given under the Right to Information Act, 2005 [in short, "RTI Act, 2005"], but the information sought is not received.

5. A petition cannot be filed on the basis of half baked



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information. In case the petitioner gets authentic documents to prove that the private respondents are carrying out some construction activity against the provisions of law or without permission, then the aggrieved person can agitate in respect of the same.

6. Learned counsel for the petitioner submits that he would obtain the information sought under the RTI Act, 2002 and then would proceed further with the matter.

7. In view of that, the writ petition stands disposed of. If the aggrieved person gets any authentic documents on the illegal constructions, then may agitate by filing a petition afresh. There shall be no order as to costs.

(S.V.G., CJ.)

(D.B.C., J.)

08.01.2024

Index : Yes/No

Neutral Citation : Yes/No

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