



WEB COPY

WP No. 19692 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-04-2025

CORAM

THE HONOURABLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

WP No. 19692 of 2024

1. Sir Venkatachala Flat Owners Association
Rep By Its Joint Secretary, No.27, Sir
Thiyagaraya Road, T.Nagar, Chennai-600 017

Petitioner(s)

Vs

1. Chennai Metropolitan Development
Rep By Its Member Secretary, Thalamuthu
Natraja Maligai,
Gandhi Irwin Road, Egmore,
Chennai-600 008

2. Corporation Of Chennai
Rep By Commissioner Of Corporation,
Rippon Building, Chennai

3. Pelita Nasi Kandar International (P) Ltd
Rep By Its Authorised Person, Appaswamy
Towers, No.17 And 18 Sir Thiyagaraya
Road, T.Nagar, Chennai-600 016

Respondent(s)

**PRAYER**

Directing the 1st and 2nd respondents to initiate appropriate action against the unauthorised construction put up by the 3rd respondent on the front setback area of the 'A' block situated in No.27, Appaswamy Towers, Sir Thiyagaraya Road, Pondybazhar, T.Nagar, Chennai-600 015 by removing the same within a time frame.

For Petitioner(s): Mr.S.Sai Shankar

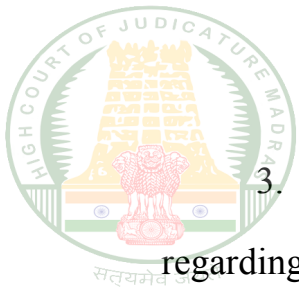
For Respondent(s): Mr. R. Thamarai Selvan Sc For R1
Mrs. S. Vanitha Joice Rani For R2
No appearance for R3

ORDER

(Order of the Court was made by S.M.Subramaniam J.)

The Writ Petition on hand has been instituted to direct the 1st and 2nd respondents to initiate appropriate action against the unauthorised construction put up by the 3rd respondent on the front setback area of the 'A' block situated in No.27, Appaswamy Towers, Sir Thiyagaraya Road, Pondybazhar, T.Nagar, Chennai-600 015 by removing the same.

2. The petitioner is Flat Owners' Association. Several building plan violations are set out in the affidavit filed in support of the Writ petition. Since unauthorised constructions are made, complaint has been given by the petitioner for initiation of action under the relevant provisions of law. The respondents 1 and 2 have failed to initiate action, which resulted in filing of the present Writ Petition.



3. It is needless to state that on receipt of any such complaint regarding unauthorised construction/deviation, the authorities competent are bound to conduct inspection/survey and identify the violations, unauthorised construction etc., and thereafter, initiate appropriate actions by following procedures as contemplated under the Act and Rules.

4. In the present case, the 1st respondent/CMDA has to initiate appropriate action. Thus, the 1st respondent is directed to conduct inspection in the subject property and verify the correctness of the allegations made by the petitioner in the complaint and thereafter, initiate all appropriate actions, if any, unauthorised construction/deviation are identified, by following the procedures as contemplated under law. The said exercise is directed to be completed within a period of 12 weeks from the date of receipt of a copy of this order.

5. Accordingly, the Writ Petition stands disposed of. No costs. Consequently, the connected Miscellaneous Petitions, if any, are closed.

(S.M.SUBRAMANIAM J.)(K.RAJASEKAR J.)

21-04-2025

gd

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To
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Thalamuthu Natraja Maligai, Gandhi
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Rep By Commissioner Of Corporation,
Rippon Building, Chennai

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Appaswamy Towers, No.17 And 18 Sir
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**S.M.SUBRAMANIAM
J.
AND
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