



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-02-2025

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THE HONOURABLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

WP No. 16495 of 2024

1. C.K.Shanmugan

Petitioner(s)

Vs

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

2.The Zonal Executive Engineer,
Zone-9, Dwarka Colony,
Mylapore, Corporation Of Chennai,
Chennai.

3.The Assistant Engineer,
Ward No.121, Dwarka Colony,
Mylapore, Corporation Of Chennai,
Chennai.

4.Vadivammal (f/a)
W/o.Late.Ramalingam, No.30,
Thullukkanam Thottam 2nd Street,



Dr.Natesan Road, Triplicane, Chennai-
600 005.

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Respondent(s)

PRAYER

Directing the 3rd respondent herein to inspect the construction of house carried out in Survey No.1032/66 in Door No.30, 2nd Street, Thullukannam Garden, Dr.Natesan Road, Triplicane, Chennai-600 005 by 4th respondent and issue Stop Work Notice as it is blocking the pathway within the stipulated time prescribed by this Court pursuant to the representation dated 07.06.2024.

For Petitioner(s): Mr.M.Rajkumar

For Respondent(s): Mr. D.B.R. Prabhu SC For R1
To R3
R-4 No appearance

ORDER

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

The writ of mandamus has been instituted to direct the 3rd respondent to inspect the construction of the house carried out in Survey No.1032/66 at Door No.30, 2nd Street, Thullukannam Garden, Dr.Natesan Road, Triplicane, Chennai – 600 005 by 4th respondent and issue a Stop Work Notice, as it is blocking the pathway within the stipulated time prescribed by this Court, pursuant to the representation dated 07.06.2024.



2. Notice has been served to all the respondents, but the 4th respondent has not appeared either in person or through counsel.

3. Mr.M.Muthiah, the Zonal Executive Engineer, Zone-9, Greater Chennai Corporation and Ms.S.Nagalakshmi, Junior Engineer, Greater Chennai Corporation are present and have filed an additional status report. The additional status report reveals the following facts:

“6. I respectfully submit that on routine inspection it was found the 4th respondent herein has deviated the approved plan by constructing a wall in the stilt floor and also balcony projections were noted in the first and second floor and also put up third floor (partly) unauthorised. The extent of deviations / unauthorised constructions put up by the 4th respondent herein is as follows:

<i>Floor Details</i>	<i>As per Plan</i>	<i>As Per Site</i>	<i>Deviation / Unauthorised</i>
Stilt Floor	-	55.51 m ²	55.51 m ²
First Floor	44.23 m ²	64.35 m ²	20.12 m ²
Second Floor	44.23 m ²	64.35 m ²	20.12 m ²
Terrace Floor	-	28.98 m ²	28.98 m ²
Height of the Building	8.74 m ²	11.74 m	3 m



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7. I respectfully submit that after inspecting the building the officials of Greater Chennai Corporation have taken further action by issuing Notice for Production of Documents dated 12.02.2025 to the 4th respondent herein through Registered Post.

8. I respectfully submit that an continuation of the above notice further action has been taken by issuing Notice for Inspection dated 20.02.2025 by fixing a date of inspection on 22.02.2025 and directed the 4th respondent to be present at time inspection.”

Thus, the authorities identified the unauthorised/deviations in the ongoing construction.

4. Mr.D.B.R.Prabhu, the learned Standing Counsel appearing on behalf of the Greater Chennai Corporation would submit that notice for production of documents was issued to the 4th respondent on 12.02.2025. Subsequently, a notice for inspection was issued on 20.02.2025 and an inspection was conducted

on 22.02.2025. Since unauthorised/deviation constructions were identified,



further actions shall be initiated by following due procedures as contemplated under the Act and Rules.

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5. In view of the facts stated in the additional status report filed by the Greater Chennai Corporation, all further actions are directed to be initiated by following the due procedures as expeditiously as possible, preferable within a period of twelve (12) weeks from the date of receipt of a copy of this order.

6. With the above directions, this Writ Petition stands disposed of. No costs.

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

25-02-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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**S.M.SUBRAMANIAM
J.
AND
K.RAJASEKAR J.**

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