



WEB COPY



W.P.No.27645 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.03.2025

CORAM

THE HON'BLE MR. JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Writ Petition No.27645 of 2024

Mr.T.D.Dhathathiri

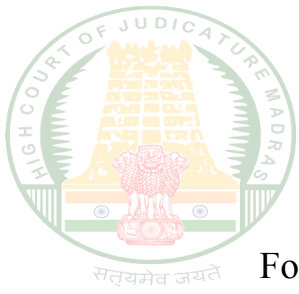
... Petitioner

Vs.

- 1.The Regional Deputy Commissioner,
Central Region, Greater Chennai Corporation,
No.36B, Pulla Avenue, 2nd Floor,
Shenoy Nagar, Chennai – 600 030.
- 2.The Assistant Commissioner,
Zone-6, Greater Chennai Corporation,
No.167, Strahans Road, Pattalam, Chennai – 600 012.
- 3.The Executive Engineer,
Zone-6, Greater Chennai Coporation,
No.167, Strahans Road, Pattalam, Chennai – 600 012.
- 4.Mrs.R.Muniayammal
- 5.Mrs.K.Latha

... Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus to direct the 1st to 3rd respondents to consider the writ petitioner representations made on dated 07.04.2024.



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For Petitioner : Mr.T.Kannan
For RR1 to 3 : Mr.D.B.R.Prabhu,
Senior Counsel for Greater Chennai Corporation
For RR4 & 5 : Mr.S.Sabariah

ORDER

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

The writ of mandamus has been instituted to direct the respondents 1 to 3 to consider the representation submitted by the writ petitioner on 07.04.2024 for removal of unauthorized constructions in the premises under occupation by the respondents No.4 and 5.

2. This Court directed the Chennai Corporation to conduct inspection and submit a report.

3. Status report has been filed by the Executive Engineer, Zone - 6, Greater Chennai Corporation in paragraph No.4 and 5 is extracted hereunder:

“4. I respectfully submit that after inspecting the building in question action has been taken by issuing a Stop Work Notice/Notice Calling for Approved Plan dated 07.03.2025 under Section 56 and 57 read with Section 85 of Tamil Nadu Town and Country Planning Act, 1971 to the 4th and 5th respondents respectively.



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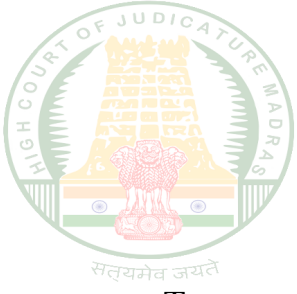
5. *I respectfully submit that the Greater Chennai Corporation will take further enforcement action as against the building in question as per the provisions of Tamil Nadu Town and Country Planning Act, 1971 and the Greater Chennai Corporation will lock and seal the building after issuance of the statutory notices as per the Act."*

4. As rightly stated by the third respondent in paragraph No.6, the title disputes between the parties, if any exists are to be resolved by approaching the competent Civil Court of law. As far as the unauthorized building is concerned, the Chennai Corporation has already issued Stop Work Notice and all further enforcement actions are directed to be continued and unauthorized portions identified are to be demolished by following the due procedures.

5. The said exercise is directed to be completed within a period of eight (8) weeks from the date of receipt of a copy of this order. Accordingly, the writ petition stands disposed of. There shall be no order as to costs.

(S.M.S., J.) (K.R.S., J.)
12.03.2025

ssi
Index: Yes
Speaking Order: Yes/No
Neutral Citation Case : Yes/No



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