



W.P.No.36112 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :05.02.2025

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE K.RAJASEKAR

W.P.No.36112 of 2024

Mr.V.Saravanan

... Petitioner

Vs.

1.The Commissioner,
Municipal Office,
Kundrathur Panchayat Union,
Lala Chathiram Street,
Kundrathur,
Chennai – 600 069.

2.Block Development Officer (V.P),
Kundrathur Panchayat Union,
Lala Chathiram Street,
Kundrathur,
Chennai – 600 069.

3.S.Mallika

4.Ramamoorthy

5.Jayamani Vidyavathi

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, to direct the first respondent to petitioner's representation dated 10.09.2024 to demolish the unauthorized construction, petitioner's car parking area at ground floor, “A” Block Sathyanarayanapuram, Moulivakkam Village, Kancheepuram District measuring approximately 332 sq.ft. out of the Schedule mentioned property vide document No.15190 of 2014 dated 26.09.2014 in accordance with law.

For Petitioner : Ms.G.Pavatharini

For Respondents : Mr.T.Chandrasekaran,
Special Government Pleader (for R1)
Mr.K.Karthikeyan, Govt. Advocate (for R2)

ORDER

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

The Writ Petition has been instituted to direct the 1st respondent to consider the petitioner's representation dated 10.09.2024, to demolish the unauthorized construction of petitioner's car parking area at ground floor, “A” Block, Sathyanarayanapuram, Moulivakkam Village, Kancheepuram District measuring approximately 332 sq.ft. out of the Schedule mentioned property vide document No.15190 of 2014 dated 26.09.2014 in accordance with law.

2. Mr.V.Muthu Sundaram, Block Development Officer, Kundrathur Panchayat Union is present before this Court.



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WEB COP 3. Learned Special Government Pleader assisted by Block Development Officer would furnish the copy of the notice issued by the Commissioner, Kundrathur Panchayat Union, Padapai to initiate the action against the unauthorized building based on the complaint given by the petitioner.

4. The Commissioner, Kundrathur Panchayat Union, Padappai issued a notice to the owner or occupier of the subject property, who in-turn refused to receive the notice. Thereafter, the notice was affixed on 06.01.2025 in the premises as required under law and therefore, it is to be treated as valid service of notice.

5. In view of the action initiated by the Commissioner, Kundrathur Panchayat Union, Padappai, this Court is inclined to direct the respondents 1 and 2 to follow all further procedures as contemplated under the statute and rules and remove the unauthorized construction, if required, with the assistance of the police. The said exercise is directed to be completed within a period of three months from the date of receipt of a copy of this order.



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6. With the above directions, the Writ Petition stands allowed.

Consequently, the connected Miscellaneous Petitions, if any, are closed. No costs.

[S.M.S., J.] [K.R.S., J.]
05.02.2025

Index: Yes/No
Speaking/Non-speaking order
gd

To

1. The Commissioner,
Municipal Office,
Kundrathur Panchayat Union,
Lala Chathiram Street,
Kundrathur,
Chennai – 600 069.

2. Block Development Officer (V.P),
Kundrathur Panchayat Union,
Lala Chathiram Street,
Kundrathur,
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AND
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