

WEB COPY

WP No. 7274 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-04-2025

CORAM

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

WP No. 7274 of 2025

AND

WMP Nos.8092 & 8093 of 2025

1. Lalitha Mukundan

W/o.P.Mukundan, 2nd And 3rd Floors,
Residency Apartments, No.19/10, Bawa
Road, Alwarpet Chennai-600 018

2.P.Mukundan

S/o.Late.Parthasarathy, 2nd And 3rd
Floors, Residency Apartments,
No.19/10, Bawa Road, Alwarpet
Chennai-600 018

Petitioner(s)

Vs

1. Chennai Metropolitan Development
Authority

Thalamuthu Natarajan Building, No.1,
Gandhi Irwin Road, Egmore, Chennai-
600 008 Rep By Its Member Secretary

2.Greater Chennai Corporation

Having Its Office At Ripon Building,
Poonamallee High Road, Chennai-600
003 Rep By Its Commissioner



3.Mohammed Jamaluddin,
Ground Floor, Residency Apartments,
No.19/10 Bawa Road, Alwarpet,
Chennai-600 018

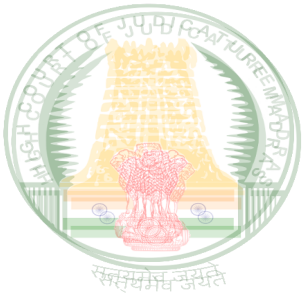
4.Mohammed Farouk
First Floor, Residency Apartments,
No.19/10 Bawa Road, Alwarpet
Chennai-600 018

Respondent(s)

PRAYER: To issue a writ of mandamus directing the 1st and 2nd respondents, their men, agents and servants to immediately initiate appropriate action to remove all or any unauthorised and illegal construction put up by the 3rd and 4th respondents on or over any part of the common areas of the property comprised in “Residency Apartments” bearing Door No.19/10, Bawa Road, Alwarpet, Chennai 600 018 as enumerated in the notice of the 1st respondent dated 24.02.2024.

For Petitioner(s): Mr.R.Parthasarathy,
Senior Counsel
For Mr.Rahul Balaji

For Respondent(s): MR.Akhil Akbar Ali,
Standing Counsel For CMDA
For R1
Mr.D.B.R.Prabhu,
Standing Counsel for GCC
For R2
Mr.V.Subramanian
For RR3 & 4



ORDER

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

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The writ of mandamus has been instituted to direct the respondents 1 to 2 to initiate appropriate action to remove all or any unauthorised and illegal construction put up by the 3rd and 4th respondents on or over any part of the common areas of the property comprised in “Residency Apartments” bearing Door No.19/10, Bawa Road, Alwarpet, Chennai 600 018 as enumerated in the notice of the 1st respondent dated 24.02.2024.

2. The learned Senior Counsel appearing on behalf of the petitioners would submit that Form-4 Notice was issued by the CMDA in proceeding dated 24.02.2024.

3. Perusal of the said notice reveals several violations are identified by the competent authorities. The Chennai Corporation also filed a status report stating that there are violations and unauthorized buildings are identified by the competent authorities.

4. The learned counsel appearing on behalf of the 3rd and 4th respondents would submit that the petitioners have admitted building rule violations.



5. It is needless to state that all such violations are to be identified and the unauthorized constructions/deviations are to be demolished and the building is to be restored in accordance with the building plan approval granted by the competent authorities.

6. Since the CMDA has already issued notice on 24.02.2024 and more than one year lapsed, further actions are to be continued and the enforcement actions are directed to be completed by demolishing the unauthorized constructions/deviations by following procedures as contemplated within a period of twelve (12) weeks from the date of receipt of a copy of this order.

7. The Writ Petition stands disposed of accordingly. There shall be no order as to costs. Consequently, the connected miscellaneous petitions also stands closed.

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

25-04-2025

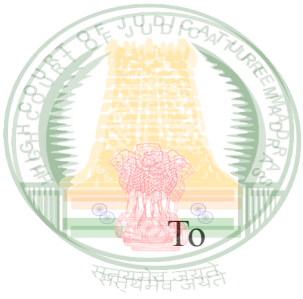
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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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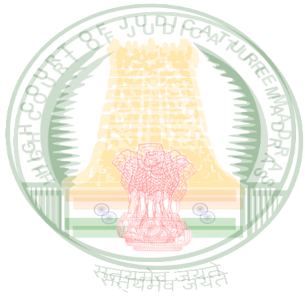
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