

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.04.2015

CORAM:

THE HON'BLE MR.JUSTICE SATISH K. AGNIHOTRI

AND

THE HON'BLE MR.JUSTICE M.VENUGOPAL

W.P.No.13841 of 2015

Smt.Kuppammal ... Petitioner

vs.

1. Chennai Corporation,
rep.by the Commissioner,
Rippon Buildings,
Chennai - 600 003,

2. Zonal Officer
(Executive Engineer),
Zone-1,
Corporation of Chennai,
Tiruvottriyur,
Chennai - 19,

3. Smt.Suguna Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking the relief of issuance of writ of mandamus as stated therein.

For Petitioner : Mr.K.Chairmanselvaraj
For Respondents : Mrs.Karthikaa Ashok for R.1 and R.2

ORDER

(Order of the Court was made by SATISH K. AGNIHOTRI, J.)

In the instant writ petition, though the petitioner has sought for writ of mandamus seeking a direction to respondents to demolish the unauthorised and dangerous construction in progress at Door No.10, 2nd Main Street, Ramakrishna Nagar, Ernavur, Chennai - 600 057, in Zone No.1, Thiruvouriyur, Chennai - 19 by taking appropriate action under Chennai Corporation Act against the 3rd respondent,

when the matter is taken up for hearing, learned counsel appearing for the petitioner submits that it is suffice if the 2nd respondent is directed to consider the representation dated 9.1.2015 made by the petitioner.

2. Learned counsel appearing for the 1st and 2nd respondents takes notice. It is not necessary to issue notice to the 3rd respondent, as it is a case of only consideration of the petitioner's representation and no decision can be taken on the said representation without affording an opportunity of hearing to the 3rd respondent. Thus, with the consent of the learned counsel for the petitioner and the learned counsel appearing for the 1st and 2nd respondents, we are passing this order at the admission stage itself, without issuing notice to the 3rd respondent.

3. Considering the limited nature of the relief sought by the learned counsel for the petitioner, we direct the 2nd respondent to consider and pass orders on the petitioner's representation dated 9.1.2015 on its own merits and in accordance with law, after giving an opportunity of hearing to all the parties concerned. Needless to state that each and every submission averred by the petitioner in her representation is to be adverted to and a reasoned order is required to be passed. The entire exercise shall be completed within a period of six weeks from the date of receipt of a copy of this order.

4 With the above direction and observation, the writ petition stands disposed of. Costs made easy.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Commissioner, Chennai Corporation,
Rippon Buildings, Chennai - 600 003,
2. The Zonal Officer (Executive Engineer),
Zone-1, Corporation of Chennai,
Tiruvottriyur, Chennai - 19.

+ 2 ccs to Mr.K.Chairmanselvaraj, Advocate SR.24179
+ 1 cc to M/s. A. Karthika Ashok, Advocate Sr.24314

W.P.No.13841 of 2015

JP(CO)
EU 12.05.2015