

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.05.2015

CORAM

THE HONOURABLE DR.JUSTICE S.TAMILVANAN
AND
THE HONOURABLE MR.JUSTICE S.MANIKUMAR

W.P.No.14127 of 2015

&

M.P.No.1 of 2015

V.Rajendran

... Petitioner

Vs.

1. The Chennai Metropolitan Development Authority,
Rep. by its Member Secretary,
Gandhi-Irvin Road,
Egmore, Chennai-8.
2. Corporation of Chennai,
Rep. by its Commissioner,
Rippon Building,
Chennai-600 003.
3. Corporation of Chennai,
Rep. by its Revenue Officer,
Zone-12, Alandur,
Chennai-016.
4. J.Vijaya

... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus directing the respondents 1 to 3 to dispose of the petitioner's representation dated 23.04.2015, by issuing appropriate directions to remove the unauthorised /illegal constructions put up by the fourth respondent at Survey No.256/4, Surendar Nagar Extension, 6th Street, Adambakkam, Chennai-88, measuring an extent of 830 sq.ft.

For Petitioner : Mr.M.Manivannan

For Respondents : Mr.K.Rajasrinivasn for R1
Mr.V.C.Selvasekaran for R2 and R3

O R D E R

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

By consent, the writ petition is taken up for final disposal, at the admission stage itself.

2.The writ petition has been filed under Article 226 of the Constitution of India seeking an order in the nature of Writ of Mandamus directing the respondents 1 to 3 to dispose of the petitioner's representation dated 23.04.2015, by issuing appropriate directions to remove the unauthorised /illegal constructions put up by the fourth respondent at Survey No.256/4, Surendar Nagar Extension, 6th Street, Adambakkam, Chennai-88, measuring an extent of 830 sq.ft.

3.Learned counsel for the petitioner submitted that the petitioner has sold a portion of property to an extent of 830 sq.ft. including pathway to the fourth respondent and the same was registered as Doc.No.969/2012, Sub Registrar Office, Alandur. He further submitted that the fourth respondent without obtaining approval from respondents 1 to 3, has started unauthorised construction, for which, the petitioner has made a representation to respondents 1 to 3 dated 23.04.2015.

4.Considering the facts and circumstances of the case, we are of the view that since the dispute between the parties is purely civil in nature, no direction could be issued to the respondents and the writ petition is liable to be dismissed.

5.Accordingly, the writ petition is dismissed. However, it is open to the petitioner to approach the appropriate forum, seeking remedy, according to law. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

vga/kal

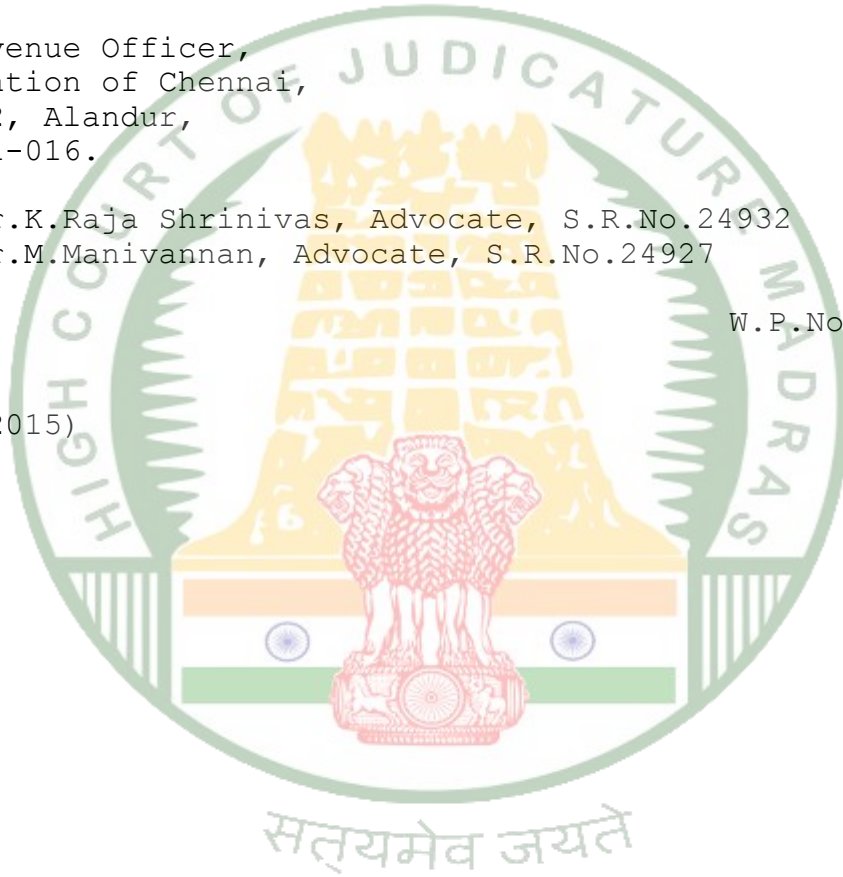
To

1. The Member Secretary,
Chennai Metropolitan Development Authority,
Gandhi-Irvin Road,
Egmore, Chennai-8.
2. The Commissioner,
Corporation of Chennai,
Rippon Building,
Chennai-600 003.
3. The Revenue Officer,
Corporation of Chennai,
Zone-12, Alandur,
Chennai-016.

+1cc to Mr.K.Raja Shrinivas, Advocate, S.R.No.24932
+1cc to Mr.M.Manivannan, Advocate, S.R.No.24927

W.P.No.14127 of 2015

RSY(CO)
CA(14/05/2015)



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