

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:16.11.2015

Coram

The Hon'ble Mr. Justice T.S. SIVAGNANAM

W.P. No.18300 of 2015

R.G.Nasir Baig

.. Petitioner

Vs

1.The Collector,
Vellore District,
Vellore.

2.The Commissioner,
Ambur Municipality,
Ambur, Vellore District.

3.The Deputy Superintendent of Police,
Ambur Range,
Vellore District.

... Respondents

Prayer :-Petition filed under Article 226 of the Constitution of India praying to issue Writ of Mandamus to issue suitable directions directing the second respondent to initiate appropriate action under the provisions Section 218 of the Tamil Nadu District Municipalities Act, in respect of the building Door No.26 to 32 in "C" Ward Block No.13 Broad Bazaar, Ambur, Vellore District.

For Petitioner .. Mr.M.Sriram

For Respondents .. Mr.R.Rajeswaran Spl.G.P.,
for R1to3

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O R D E R

Heard the learned counsels appearing on either side and perused the materials placed on record. By consent of the learned counsels on either side, the writ petition is taken up for final disposal.

2. The petitioner is the owner of the property bearing door Nos.26 to 32 in 'C' Ward Block No.13 Broad Bazaar, Ambur, Vellore District and the petitioner seeks for a direction to the second respondent to take appropriate action in accordance with the provisions of the Tamil Nadu District Municipalities Act, to demolish his building on the ground that the building is in a dilapidated condition.

3. Admittedly, in the said building there are certain occupants who are said to be tenants of the petitioner or the persons inducted through the tenants. It is stated that neither civil proceedings are pending between the petitioner and the occupants nor there is any proceedings before the Rent Controller or any Appellate Authority in this regard.

4. However, the petitioner seeks for a direction to consider his representation, hear the parties and thereafter to pass appropriate orders. But since the occupants have not been impleaded as the respondents in this Writ Petition, no positive direction as sought for can be granted.

5. In the light of the above, without going into the merits of the petitioner's contention, there will be a direction to the second respondent to consider the petitioner's representation dated 18.06.2015, after issuing notice to the petitioner and the occupants of the building and after affording them an opportunity of personal hearing, pass a reasoned order on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

In the result, the Writ Petition is disposed of with the above directions. No costs.

Sd/

ASSISTANT REGISTRAR (CS-VI)

/TRUE COPY/

SUB-ASSISTANT REGISTRAR

pbn

To

1.The Collector,
Vellore District,
Vellore.

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2.The Commissioner,
Ambur Municipality,
Ambur, Vellore District.

3.The Deputy Superintendent of Police,
Ambur Range,
Vellore District.

+1 CC to MR.M.Sriram Advocate. SR.NO. 62075
+1 CC to Govt.Pleader. SR.NO. 62323

W.P. No.18300 of 2015

CO-GJ
JD 30/11/2015



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