

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 2/7/2015

C O R A M

THE HON'BLE MR. JUSTICE SATISH K. AGNIHOTRI  
and  
THE HON'BLE MR. JUSTICE M. VENUGOPAL

W.P. No.19319 of 2015

A. Sivagurunathan ... Petitioner

Vs

1. The Commissioner  
Sembakkam Municipality  
Tambaram  
Chennai 600 073.

2. M/s. Davamani Promoters  
No.1 Bhavandiar Main Road  
Chennai 600 073.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus to direct the first respondent to remove the unauthorised portion of the construction put up by the second respondent at Door No.1, Bhavandiar 1<sup>st</sup> Cross, Kamarajapuram, Selaiyur Post, East Tambaram, Chennai 600 073.

For petitioner : Mr.S.Udhayakumar

For respondents : Mr.S.Pattabiraman for R.1.

O R D E R

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

Mr.S.Pattabiraman accepts notice for the first respondent. With the consent of the learned counsel for the parties, the matter is taken up for final disposal, at the admission stage itself.

2. The case of the petitioner is that the second respondent has made an unauthorised construction at Door No.1, Bhavandiar 1<sup>st</sup> Cross, Kamarajapuram, Selaiyur Post, East Tambaram, Chennai 600 073, as is manifest in the authenticated information obtained by him from the Public Relations Officer of the first respondent/Municipality on 4/5/2015. The petitioner has made a representation to the Commissioner/first respondent on 26/12/2014 to prevent unauthorised

construction made by the second respondent at the afore-stated premises. Despite clear information submitted by the Public Relations officer of the first respondent, no steps have been taken till date.

3. Mr.S.Pattabiraman, learned counsel appearing for the first respondent submits that the afore-stated representation of the petitioner will be examined on its own merit and in accordance with law, after affording opportunity of hearing to the second respondent, within a period of four weeks from the date of receipt of the copy of this order.

4. In view of the foregoing, it is ordered accordingly. Resultantly, this writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

mvs.

To  
The Commissioner  
Sembakkam Municipality  
Tambaram  
Chennai 600 073.

1 cc to Mr..S.Udhayakumar , Advocate Sr.No.32755

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jp(co)  
pmk.10.7.2015

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