

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13-07-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.20876 of 2015

A.Subramanian

... Petitioner

vs

1. The Commissioner
Corporation of Chennai
Rippon Building
Chennai 600 003
2. The Assistant Commissioner
Zonal 6, Division 66
Corporation of Chennai
Ayanavaram, Chennai 600 023

... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents to dispose of the representation dated 17.6.2015, submitted by the petitioner.

For Petitioner : Mr.S.P.Sudalaiyandi

For Respondents : Mr.P.V.Selvakumar for
Chennai corporation

ORDER

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

2.The petitioner claims that his mother was the owner of the landed property admeasuring to an extent of 1645 square feet, in Plot No.160, comprised in T.S.No.908 (Part), of Sakthivel Nagar, Corporation of Madras, Block No.1, Peravallur Village, 30th Division, by means of a registered sale deed dated 28.2.1983, (Document No.1039/1983 - Office of the Sub-Registrar, Sembium), and she after obtaining planning permission, has also put up a superstructure. The petitioner would further state that in view of the interference by the third party, his mother also filed a suit in O.S.No.12201/1989, on the file of the Court of III Assistant City Civil Judge, Chennai and it was also decreed vide judgment and decree dated 25.11.1993,

and the appeal preferred by the opposite party in A.S.No.83/1995, was also dismissed by the Court of II Additional City Civil Judge, Chennai, and his mother died and thereafter, he has succeeded to the estate and later on, came to know that a road was laid on the patta land owned by him, and in this regard, he has submitted a representation dated 17.6.2015, either to allot an alternate site or to pay compensation and since he has not been favoured with any kind of response, came forward to file this writ petition.

3.Heard the submissions of the learned Counsel appearing for the petitioner, and Mr.P.V.Selvakumar, learned Standing Counsel, who accepted notice on behalf of the respondents.

4.This Court, in the light of the facts and circumstances and without going into the merits of the claim projected by the petitioner, directs the first respondent to consider and dispose of the petitioner's representation dated 17.6.2015, in accordance with law, after putting on notice, the persons concerned, within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner as well as to the persons concerned. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

nsv

To:

1. The Commissioner
Corporation of Chennai
Rippon Building
Chennai 600 003
2. The Assistant Commissioner
Zonal 6, Division 66
Corporation of Chennai
Ayanavaram, Chennai 600 023

+1cc to Mr.S.P.Sudalaiyandi, Advocate, S.R.No.35643
+1cc to Mr.P.V.Selvakumar, Advocate, S.R.No.35473

W.P.No.20876 of 2015

AD(CO)
CA(23/07/2015)