

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20-07-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.21504 of 2015

P.Narayanan

.. Petitioner

vs

1. The Commissioner
HR & CE, Nungambakkam
Chennai 600 034
 2. The Commissioner
Corporation of Chennai
Ripon Building, Chennai 600 003
 3. The Joint Commissioner/Additional
Commissioner
HR & CE, Nungambakkam
Chennai 600 034
 4. The Executive Officer
Swarnambigai Samedha Sri
Agatheeswarar Swamy
Devasthanam
Villivakkam, Chennai 600 049
 5. Executive Engineer
Regional Office Central
Corporation of Chennai
Shenoy Nagar, Chennai 600 030
- .. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents 1 to 4 to consider the petitioner's representation dated 14.3.2015, on merits.

For Petitioner : Mr.V.Raghupathi

For Respondents : Mr.M.L.Mahendran
Government Advocate
for RR1, 3 & 4
Mr.P.V.Selvakumar for RR2 & 5

ORDER

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

2.The petitioner claims to have purchased leasehold right from the earlier tenant in respect of the landed property bearing Old Door No.27, New No.4, Raja Street, Villivakkam, Chennai 49, admeasuring to an extent of 629 square feet, through a registered sale deed bearing Document No.3732/1983 dated 10.11.1983, on the file of the Office of the Sub-Registrar at Anna Nagar, and his request for name transfer was favourably considered by the fourth respondent and the leasehold right was also transferred in his name and he submitted an application dated 27.2.2015, to demolish the superstructure, which has become very old and dilapidated, with permission to put up a new superstructure and when he approached the concerned authority for planning permission, he was directed to get No Objection Certificate from the Hindu Religious and Charitable Endowments Department with boundary measurement sketch and in this regard, he submitted a representation dated 14.3.2015, to the respondents 1, 3 and 4 and the first respondent vide letter dated 24.3.2015, has instructed the petitioner to follow it up with the third respondent and since no orders have been passed, he came forward to file this writ petition.

3.Heard the submissions of the learned Counsel appearing for the petitioner, Mr.M.L.Mahendran, learned Government Advocate, who accepted notice on behalf of the respondents 1, 3 and 4, and Mr.P.V.Selvakumar, learned Standing Counsel, who accepted notice on behalf of the respondents 2 and 5.

4.This Court, taking into consideration the limited scope of prayer sought for by the petitioner, and without going into the merits of the same, directs the third respondent to consider the petitioner's representation dated 14.3.2015, in accordance with law, after providing the petitioner or his authorised representative, an opportunity of personal hearing, and pass orders within a period of six weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner. The writ petition is disposed of accordingly. No costs.

nsv

s/d-

Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

To:

1. The Commissioner
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Corporation of Chennai
Shenoy Nagar, Chennai 600 030
- + 1 cc to Mr.V.Raghupathi, Advocate SR 36480
- + 1 cc to Govt.Pleader SR 36834
- ak(co)
prk5/8
- W.P.No.21504 of 2015
- सत्यमेव जयते

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