

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.08.2015

CORAM :

THE HONOURABLE MR. JUSTICE N.KIRUBAKARAN, J

Writ Petition No.21961 of 2015 and
M.P.No.1 of 2015

Mr.D.Kuppuswamy

.. Petitioner

vs.

1.The Commissioner,
Corporation of Chennai,
Rippon Building,
Chennai - 600 003.

2.Assistant Engineer

3.Junior Engineer,
Represents 2 & 3,
having their office at
Ward No.184, Division No.41,
Zone No.14,
Office of Corporation of Chennai,
School Road, Perungudi,
Chennai - 600 096.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus forbearing the respondents from removing the pillars put up by the petitioner for constructing a compound wall in front of the petitioner's premises Plot No.163, Door No.1/1, (17th Cross street), presently 16th Cross Street, Telephones Nagar, Perungudi, Chennai - 600 096, without following due process of law.

For Petitioner : Mr.P.Thiagarajan

For Respondents : Mr.P.V.Selvakumar

ORDER

The petitioner contends that he is in occupation of the property bearing Plot No.163, Door No.1/1, (17th Cross street), presently 16th Cross Street, Telephones Nagar, Perungudi, Chennai - 600 096. In front of petitioner's property, there is a vacant land, in which, the Corporation has dug a canal. After completion of the work, there is a 1 ½ feet breadth of space left. In the said space, the petitioner constructed pillars for putting up compound wall. However, the third respondent without issuing any notice would try to demolish the compound wall and remove the pillars and therefore, the petitioner gave a representation to the first respondent dated 15.07.2015. Since no action has been taken on the same by the first respondent, the

petitioner now seeks a direction to the respondents not to remove the pillars put up by him without following the due process of law.

2.Heard Mr.P.Thangarajan, learned counsel for the petitioner and Mr.P.V.Selvakumar, learned counsel for the respondents.

3.Since, the petitioner has given a representation on 15.07.2015 to the first respondent in this regard, without going into the merits of the case, this Court directs the first respondent to consider and pass orders on the petitioner's representation dated 15.07.2015, within a period of six weeks from the date of receipt of a copy of this order and till such time, the respondents are directed not to demolish either the pillars or the compound wall put up by the petitioner without following the due process of law.

4.With the above direction, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

jbm

To
1.The Commissioner,
Corporation of Chennai,
Rippon Building,
Chennai - 600 003.

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+ 1 cc to Mr.PV. Selvakumar, Advocate Sr.41087

W.P.No.21961 of 2015

LRS (CO)
EU 25.08.15