

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 27.03.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.26791 of 2014

and

MP.No.1 of 2014

1. Tamizharasi
2. Divya
3. K.Devi

... Petitioners

vs.

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

2. Zonal Officer - Zone V (Royapuram)
Corporation of Chennai
62, Basin Bridge Road
Old Washermenpet,
Chennai - 600 021

3. The Inspector of Police (L & O)
F2- Chindatripet Police Station
Chindatripet, Chennai -600 002

4. Mrs. Valarmathi

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the 1st 2nd and 3rd respondents to take appropriate action in respect of the building at Door No.75, New Door No.114, Kalavai Chetty Street, Chintadripet, Chennai-600 002, comprised in R.S. No.804/1Part, present R.S.No.804/1, Block No. 13 C.C.2441.

For Petitioner : Mr.K.Sampathkumar

For R1 and R2 : Mr.B.B.Senthilkumar

For R3 : Mr. S.Gunasekaran
Government Advocate

For R4 : Mr.K.V.Sundararajan

O R D E R

Heard Mr.K.Sampathukumar, learned counsel for the petitioner, Mr.B.B.Senthilkumar, learned standing counsel for the respondents 1 and 2, Mr.S.Gunasekaran, learned Government Advocate for the third respondent and Mr.K.V.Sundararajan, learned counsel for the fourth respondent and perused the materials placed on record.

2. The petitioner seeks for issuance of a writ of mandamus directing the respondents 1 to 3 to take appropriate action in respect of the building at Door No.75, New Door No.114, Kalavai Chetty Street, Chintadripet, Chennai-600 002, comprised in R.S.No.804/1 Part, present R.S.No.804/1, Block No. 13 C.C.2441.

3. The petitioner appears to have purchased the building in question from various vendors and according to him, the building is in a highly dilapidated condition and at any time, the entire building may collapse. In this regard, photographs have been produced in the typed set of papers, which shows that the flooring in the first floor has been completely damaged and there is a big whole. Further, it is stated that portion of the building has fallen down during the pendency of the writ petition.

4. It appears that the fourth respondent is in occupation of a portion of the building. According to the petitioner, the fourth respondent is a trespasser and her husband executed a sale deed in favour of the petitioner and there was a Matrimonial dispute in between the fourth respondent and her husband.

5. In any event, this Court is not concerned with the private dispute between the petitioner and the fourth respondent as the same has to be agitated before the appropriate forum.

6. In this writ petition, the petitioner has sought for a direction to the respondents official to inspect the building and submit a report regarding the stability of the structure. In this regard, the representation has also been given by the petitioner.

7. In view of the limited relief sought for by the petitioner, without going into the merits of the allegations made by the petitioner, there will be a direction to the second respondent to inspect the building in question and submit a report regarding the condition of the building and communicate the same in writing to the petitioner, within a period of two weeks from the date of receipt of a copy of this order.

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

ga

-s/d-

Assistant Registrar(CO)

Dt:6/4/2015

True Copy

Sub-Assistant Registrar

To

1. The Commissioner
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Chennai - 600 003
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 3. The Inspector of Police (L & O)
F2- Chindatripet Police Station
Chindatripet, Chennai -600 002
- + 1 cc to Mr.K.Sampathkumar, Advocate SR 17510
- + 1 cc to Mr.B.B.Senthilkumar, Advocate SR 17743
- + 1 cc to Mr.K.V.Sundararajan, Advocate SR 18034

vsn(co)
prk6/4

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