

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.09.2015

CORAM:

THE HON'BLE MR. JUSTICE SATISH K.AGNIHOTRI

AND

THE HON'BLE MR. JUSTICE K.K.SASIDHARAN

W.P. No.28945 of 2015

P. Ravindran

...Petitioner

vs.

1 The Chairman
Chennai Metropolitan Development Authority (CMDA)
Thalamuthu Natarajar Maligai
Egmore, Chennai 600 008

2 The Commissioner
Corporation of Chennai
Ripon Buildings
Chennai 600 003

3 Dr. D. Srinivasan, M.B.B.S., D.C.H.

4 Dr. V. Ananth, M.D.

5 Dr. P. Murugan Sureshkumar, B.D.S.

6 Dr. S. Thirunavukkaasu, M.B.B.S., K.L.O.

7 Dr. R. Saravana Jothi, M.B.B.S.

8 Dr. S. Nalini, M.D., D.G.O.

9 Dr. Varadarajan

...Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents 1 and 2 to consider the petitioner's representation dated 21.07.2015.

For petitioner :Mr. A. Arasu Ganesan

For R1 :Mr. N. Sampath, Standing Counsel

For R2 :Mr. R. Arunmozhi, Standing Counsel

ORDER

(delivered by SATISHK.AGNIHOTRI, J.)

Mr. N. Sampath, learned Standing Counsel, accepts notice for the first respondent. Mr. R. Arunmozhi, learned Standing Counsel, accepts notice for the second respondent. Notice to the private respondents is dispensed with, as no decision can be taken by the authorities without affording an opportunity of hearing to them. Thus, with the consent of the learned counsel for the petitioner and the learned Standing Counsel appearing for respondents 1 and 2, the writ petition is taken up for final disposal, at the admission stage itself.

2 The petitioner is stated to be the owner of Flat No.80/3 in Thaayaar Apartment, IV Avenue, Ashok Nagar, Chennai. Alleging that the promoter of the Apartments in question has sold the basement area, which is meant for common usage of all the flat owners, to some doctors, who are using the said area for running their clinics illegally and unauthorisedly, thereby causing inconvenience to other flat owners, the petitioner made a representation to the authorities on 21 July 2015. The authorities have paid no heed to the said representation. Hence, the instant writ petition for the aforestated relief.

3 The learned Standing Counsel appearing for respondents 1 and 2 submit that on proper inspection, necessary consequential action shall be taken within a period of four weeks.

4 In view of the above submission made by the learned Standing Counsel for respondents 1 and 2, it is ordered accordingly. Needless to state that no coercive action can be taken without affording an opportunity of hearing to all the parties concerned.

5 The writ petition stands disposed of accordingly. Costs made easy.

-Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

cad

To

- 1 The Chairman
Chennai Metropolitan Development Authority (CMDA)
Thalamuthu Natarajar Maligai
Egmore, Chennai 600 008
- 2 The Commissioner
Corporation of Chennai
Ripon Buildings
Chennai 600 003

+1 cc to Mr.A.Arasu Ganesan, Advocate (sr.50885)
+1 cc to Mr.R.Arunmozhi, Advocate (sr.50340)
+1 cc to Mr.N.Sampath, Advocate (sr.50307)

सत्यमेव जयते

W.P. No.28945 of 2015

kji(co)
cp 30/09/2015

WEB COPY