

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 6/10/2015

C O R A M

THE HON'BLE MR. JUSTICE SATISH K. AGNIHOTRI
and
THE HON'BLE MR. JUSTICE K.K.SASIDHARAN

W.P. No.29383 of 2015

Vijaya Mookim

...

Petitioner

Vs

1. The Secretary
Chennai Metropolitan Development Authority
Thalamuthu Natarajan Building
No.1 Gandhi Irwin Road
Egmore
Chennai.
 2. The Commissioner
Corporation of Chennai
Rippon Building
Chennai.
 3. The Inspector of Police
K 4 Police Station
Anna Nagar
Chennai.
 4. Syeda Hussain
 5. Lawrence Mayo
rep. By its Manager
Karunagaran
B 7 2nd Avenue
Ground & I Floor
Anna Nagar East
Chennai 600 102.
- ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking for the issuance of a writ of mandamus to direct the first and second respondents herein to demolish the platform and the stair case put up by the fourth and fifth respondents herein in the car parking area of Alsa Samar Apartment at Plot No.102 Door No.B 7 Chennai, as per the approved plan of the first and second respondents herein.

For petitioner : Mr.R.C.Paul Kanagaraaj

For respondents : Mr.K.Raja Srinivas for R.1

Mr.V.C.Selvasekaran for R.2.

Mr.N.Sakthivel,
Government Advocate for R.3.

O R D E R

(delivered by SATISH K. AGNIHOTRI,J.,)

With the consent of the parties, the writ petition is taken up for final disposal.

2. The facts of the case in a nutshell are that the petitioner made a representation on 24 July, 2015, to the second respondent, pointing out illegal unauthorised construction made by the fourth and fifth respondents. But, till date, no action has been initiated by the authorities. Hence, the instant writ petition for a direction to the first and second respondents to demolish the platform and the staircase put up by the fourth and fifth respondents in the car parking area of Alsa Samar Apartment at Plot No.102 Door No.B 7 Chennai, as per the approved plan of the first and second respondents.

3. The learned counsel appearing for the first respondent fairly submits that the first respondent will initiate action forthwith for inspection and consequential action of removal of the deviation / unauthorised construction, if any, after affording a proper opportunity of hearing to the fourth and fifth respondents.

4. Without going into the merits of the case, the first respondent is directed to consider the petitioner's representation dated 24 July 2015 and pass an appropriate order on merits and in accordance with law, after affording a proper opportunity of hearing to the fourth and fifth respondents, within a period of six weeks from the date of receipt of a copy of this order.

5. The writ petition stands disposed of with the above direction. Costs made easy.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

mvs.

To

1. The Secretary,
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Building,
1, Gandhi Irwin Road,
Egmore, Chennai.

2. The Commissioner,
Corporation of Chennai.
Rippon Building, Chennai.

3. The Inspector of Police
K 4 Police Station
Anna Nagar
Chennai.

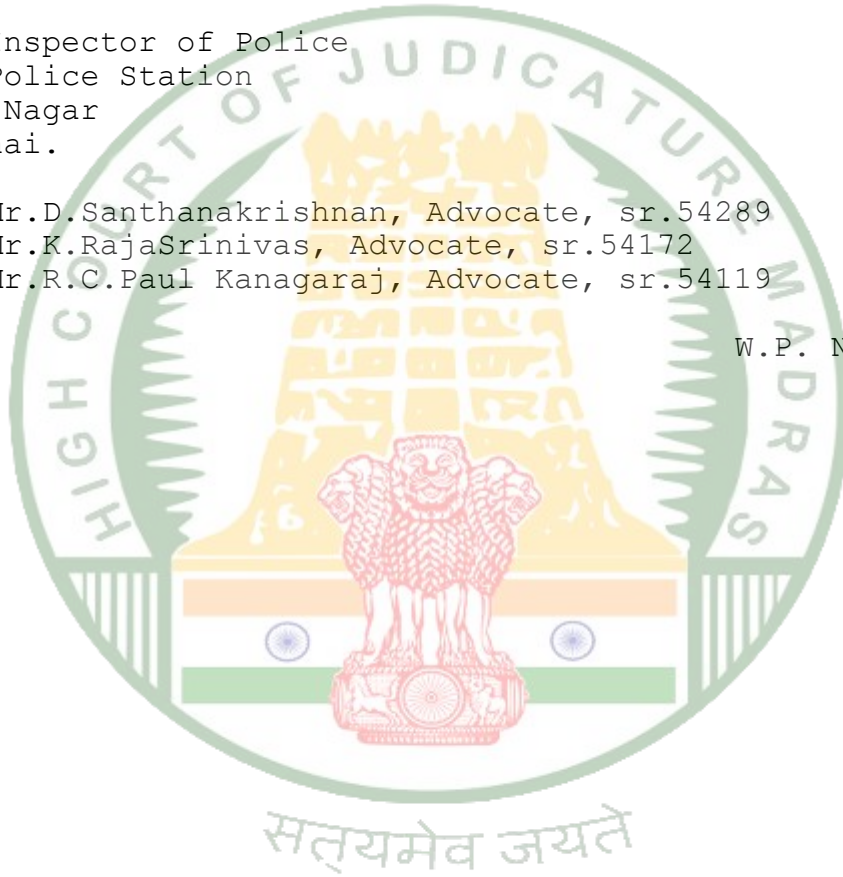
+1 cc to Mr.D.Santhanakrishnan, Advocate, sr.54289

+1 cc to Mr.K.RajaSrinivas, Advocate, sr.54172

+1 cc to Mr.R.C.Paul Kanagaraj, Advocate, sr.54119

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