

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.11.2015

CORAM

THE HON'BLE Mr. JUSTICE SATISH K.AGNIHOTRI
and
THE HON'BLE Dr. JUSTICE P.DEVADASS

W.P.No.35526 of 2015
and
M.P.No.1 of 2015

K.Baskar

...Petitioner

Vs.

1. The Commissioner,
Corporation of Chennai,
Rippon Building, Chennai - 3.
2. The Asst. Commissioner,
Zone - 11, Corporation of Chennai,
Valasarawakkam, Chennai.
3. The Asst. Engineer,
TANGEDCO,
Koyambedu, Chennai.
4. Ramesh

...Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus to direct the first, second and third respondents herein to initiate necessary action to remove the encroachment made in the public street known as School Street at Nerkundram and re-align the electricity poles and remove the high tension electrical wire in their original place and ensure safety of the school going children.

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For Petitioner : Mr.S.Jayakumar
For Respondents : Mr.R.Arunmozhi for R1 & R2
Mr.P.R.Dhilip Kumar for R3

ORDER

(Order of the Court was made by SATISH K.AGNIHOTRI, J.)

Mr. R. Arunmozhi, learned Standing Counsel, accepts notice for respondents 1 and 2. Mr. P.R. Dhilip Kumar, learned Standing Counsel, accepts notice for the third respondent. Notice to the fourth respondent is dispensed with at this stage, as, no adverse order is passed against him in this writ petition. Thus, with the consent of the learned counsel for the petitioner and the learned Standing Counsel appearing for respondents 1 and 2 and also respondent 3, the writ petition is taken up for final disposal, at the admission stage itself.

2. Seeking a direction to the respondents 1 to 3, the petitioner has filed this writ petition on the ground that though a representation was made to the respondents 1 to 3 on 07 September 2015, no step has been initiated to redress the grievance made by the petitioner. Noticing the inaction on the part of the respondents 1 to 3, the petitioner has filed the instant writ petition for the aforesaid direction.

3. Mr. R. Arunmozhi, learned Standing Counsel appearing for the first and second respondents submits that the petitioner's representation dated 07 September 2015 will be examined and appropriate decision will be taken in accordance with law and on its own merits, within a period of four weeks, after affording an opportunity of hearing to the respondent No.4, if necessary.

4. Mr. P. R. Dhilip Kumar, learned counsel appearing for the third respondent also submits that appropriate decision will be taken on the representation of the petitioner, within a period of four weeks.

5. In view of the above, no further adjudication is required at this stage. However, we make it clear that if any decision is taken against the fourth respondent, he is required to be put on notice and afforded an opportunity of hearing.

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

Sd/-
Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

mmi

To

1. The Commissioner,
Corporation of Chennai,
Rippon Building, Chennai - 3.
2. The Asst. Commissioner,
Zone - 11, Corporation of Chennai,
Valasaravakkam, Chennai.
3. The Asst. Engineer,
TANGEDCO,
Koyambedu, Chennai.

1 CC to Mr.R.Arunmozhi, Advocate SR.No. 60490

1 CC to Mr.P.R.Dhilip Kumar, Advocate SR.No. 60872

सत्यमेव जयते

W.P.No.35526 of 2015

RSK (CO)
PSI (24.11.2015)

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