

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.02.2015

CORAM:

THE HON'BLE MR.JUSTICE SATISH K. AGNIHOTRI
AND
THE HON'BLE MR.JUSTICE M.VENUGOPAL

W.P. No.3650 of 2015
and
M.P. No.1 of 2015

Tondiarpet Goodwill Avenue
Kuddirrupu Nala Sangam
represented by its President
S.I.P. Deisingh
having address at Old No.240/2
New No.751/3 T.H. Road
Tondiarpet
Chennai 600 081

...Petitioner

vs.

1 The Commissioner
Corporation of Chennai
Ripon Building
Chennai 600 003

2 The Assistant Engineer
Ward No.038, Zone VI
Corporation of Chennai
Tondiarpet
Chennai 600 081

3 A. Kandasamy

...Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus to consider the petitioner's complaint dated 01.01.2015 to the first and second respondents as against the third respondent and issue necessary notice to the third respondent as contemplated under the Act within a time frame.

For petitioner : Mr. P. Sidharthan

For RR 1 & 2 : Mr. G. Anantharangan
Standing Counsel

ORDER

It is an admitted case of the petitioner association that in respect of declaration of the title of the property in question, separate proceedings in O.S. No.821 of 2015, taken up by it, is pending consideration before the City Civil Court, Chennai. However, the third respondent is raising a construction without proper approval of the Corporation. Thus, a complaint dated 01.01.2015 was made to that effect by the petitioner association to the Chennai Corporation to take appropriate action for stopping and removing the said illegal and unauthorised construction.

2 Mr. G.A. Anantharangan, learned Standing Counsel, accepts notice for Chennai Corporation and submits that if such a representation is pending consideration, the same shall be looked into and appropriate action shall be taken in accordance with law and on its own merits.

3 Accordingly, we direct the authorities concerned to consider and pass orders on the petitioner's complaint dated 01.01.2015 in accordance with law and on its own merits, within a period of 6 weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the alleged violators of law. The Corporation shall not go into the subject matter, which is pending consideration before the Civil Court.

The writ petition stands disposed of with the above direction. No costs. Connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

cad

To

1 The Commissioner
Corporation of Chennai
Ripon Building, Chennai 600 003

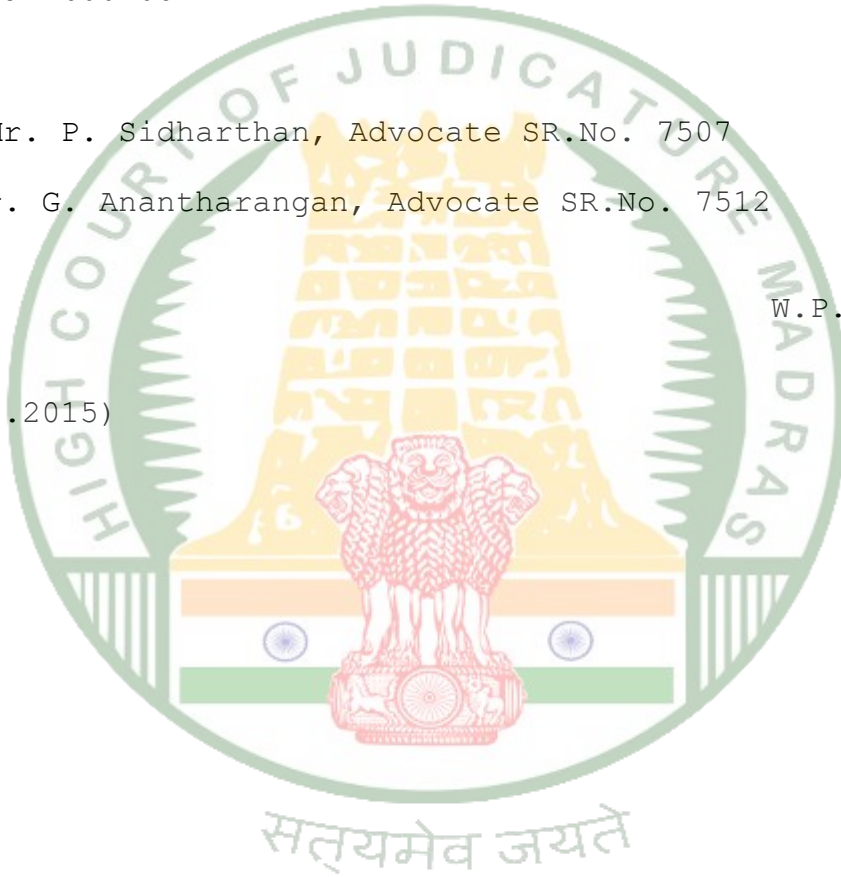
2 The Assistant Engineer
Ward No.038, Zone VI
Corporation of Chennai
Tondiarpet
Chennai 600 081

2 CCs to Mr. P. Sidharthan, Advocate SR.No. 7507

1 CC to Mr. G. Anantharangan, Advocate SR.No. 7512

W.P. No.3650 of 2015

RV (CO)
PSI (24.02.2015)



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