

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 15-04-2015

CORAM:

THE HONOURABLE MR. JUSTICE SATISH K. AGNIHOTRI
AND
THE HONOURABLE MR. JUSTICE M. VENUGOPAL

Writ Petition No.6286 of 2015

1. Mr. Raguraman
2. Miss. Nirmala
3. Miss. Amudha

Petitioners

Vs

- 1 The District Collector
Chennai District Singaravelar Maligai
George Town Chennai.
- 2 The District Revenue Officer
Chennai District Office of the District
Collector Chennai District Singaravelar
Maligai George Town Chennai.
- 3 The Thasildhar
Guindy Mambalam Taluk Ekkattuthangal
Chennai-32.
- 4 The Commissioner
Corporation of Chennai Rippon Buildings
Chennai-3.
- 5 The Chairman cum Managing
Director Chennai Metropolitan Development
Authority Thalamuthu Natarajan Maaligai
Egmore Chennai-8.

Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the respondents to conduct enquiry on petitioner's representation dated 12.1.2015 and pass order on petitioners' representation dated 12.1.2015 within a time limit that may be fixed by this Honourable High Court.

For petitioners:: Mr. P. Ayyaswamy

For respondents:: Mr. P.S. Shivashanmugha

Sundaram for RR1 to 3

Mr. G. Anandarangan for R4

Mr. K. Raja Srinivas for R5

ORDER

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

The petitioners, claiming to be neighbours of the property in question, have come up with this writ petition seeking for a direction to the respondents to conduct enquiry on their representation dated 12-01-2015 and pass orders thereon within a stipulated time.

2. Pursuant to the notice dated 09.03.2015 ordered by this Court, the third respondent has filed a counter affidavit dated 01-04-2015 indicating that on enquiry with the respondent, survey No.40 is classified in the Town Survey Land Record as Sarkar Poramboke used as a street and maintained by Chennai Corporation. Accordingly, communication was sent to the Corporation on 26-03-2015 for taking necessary enforcement action for removal of the unauthorised construction.

3. Mr. G. Anantharangan, learned Standing counsel appearing for the fourth respondent/Chennai Corporation submits that on receipt of the aforestated letter from the third respondent, the Corporation will take action strictly in accordance with law and on its own merits by issuing stop work notice, forthwith and thereafter, further necessary action will be taken within a period of eight weeks.

4. Having regard to the fact-situation as aforestated, we are of the view that a direction may be issued to the Chennai Corporation to initiate action, forthwith, under law and ensure that the unauthorised construction does not remain on the Sarkar poramboke, which is allegedly used as public street. Such an exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

5 The writ petition stands disposed of with the above direction and observation. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

glp

To

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George Town Chennai.
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Director Chennai Metropolitan Development
Authority Thalamuthu Natarajan Maaligai
Egmore Chennai-8.
- + 3 ccs to Mr.P. Ayyaswamy, Advocate SR.20388
+ 1 cc to Mr.K.Rajasrinivas, Advocate Sr.20588
+ 1 cc to Mr.G. Anandarangan, Advocate SR.20596
+ 1 cc Government Pleader Sr.20542

RJ(CO)
EU 24.04.2015

Writ Petition No.6286 of 2015

सत्यमेव जयते

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