

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 04.05.2016

Coram:

The Hon'ble Mr.Justice K.K.SASIDHARAN
and
The Hon'ble Dr.Justice S.VIMALA

W.P.No.17313 of 2016

Usha Rani Santhanam
represented by her power of attorney
S. Ravichandran

...Petitioner

Vs.

1.The Secretary to Government,
Housing and Urban Development Department,
Fort St.George, Chennai - 600 009.

2.The Regional Deputy Commissioner,
South, Greater Chennai Corporation,
No.115, Dr.Muthulakshmi Salai,
Adyar, Chennai - 600 020.

3.The Executive Engineer,
T.P.Enforcement, RJC Office (South)
Greater Chennai Corporation,
No.115, Dr.Muthulakshmi Salai,
Adyar, Chennai - 600 020.

4.Assistant Executive Engineer,
(Town Planning)
Greater Chennai Corporation,
No.115, Dr.Muthulakshmi Salai,
Adyar, Chennai - 600 020.

5.Assistant Engineer,
Division - 196,
Greater Chennai Corporation,
No.115, Dr.Muthulakshmi Salai,
Adyar, Chennai - 600 020.

...Respondents

Petition filed under Article 226 of the Constitution of India for the issuance of a writ of Mandamus, directing the respondents to consider and pass orders on the representation of the petitioner dated 14.03.2016 for removal of the Lock and Seal affixed on the premises bearing Survey No.208/1B and 2B, Prabala Nagar, Plot No.7 & 7A, 2nd Street, Injambakkam, Chennai - 600 115

so as to enable the petitioner to demolish the deviations and reconstruct as per the norms of Chennai Corporation within stipulated time.

For Petitioner : Mr.A.Sundaravadanam for
Mr.D.Balachandran

For Respondents: Ms.A.Sri Jayanthi
Special Government Pleader for R1
Mr.V.C.Selvasekaran for R2 to R5

O R D E R

[Order of the Court was delivered by
[K.K.SASIDHARAN, J.]

The petitioner filed this writ petition for a direction to the respondents to consider and dispose of the representation, dated 14.03.2016 submitted for the purpose of permitting her to undertake repair works and to confirm to the planning permission given by the statutory authority.

2. We have heard the learned counsel for the petitioner, the learned Special Government Pleader on behalf of the first respondent and the learned Standing Counsel for the Chennai Corporation.

3. The representation submitted by the petitioner on 14.03.2016 does not contain any indication that it was submitted for the purpose of carrying out the repairs. We are therefore not in a position to direct the Chennai Corporation to dispose of the said representation.

4. The learned counsel for the petitioner submitted that the petitioner should be given liberty to make a fresh representation indicating that if reasonable time is given, the entire unauthorised construction would be removed and the building would conform to the planning permission already granted by the Chennai Corporation.

5. The petitioner is given two weeks' time to submit a representation to the Chennai Corporation indicating that she is prepared to rectify the defects as pointed out by the Corporation. In case, any such representation is given, the same shall be considered and disposed of by the Chennai Corporation, as expeditiously as possible, and in any case within a period of eight weeks thereafter.

The Writ Petition is disposed with the above direction. No costs.

Sd/-
Vacation Officer

/true copy/

Sub Asst. Registrar

To

- 1.The Secretary to Government,
Housing and Urban Development Department,
Fort St.George, Chennai - 600 009.
- 2.The Regional Deputy Commissioner,
South, Greater Chennai Corporation,
No.115, Dr.Muthulakshmi Salai,
Adyar, Chennai - 600 020.
- 3.The Executive Engineer,
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Greater Chennai Corporation,
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- 1 cc to Government Pleader, Sr.28153
2 ccs to Mr.D. Balachandran, Advocate, 28094

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PA (CO)
kk 6/5