

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 18.10.2016

Coram:

The Honourable **Mr.SANJAY KISHAN KAUL, CHIEF JUSTICE**

and

The Honourable Mr.Justice **R.MAHADEVAN**

W.P.No.36222 of 2016

B.Gunasekar

... Petitioner

Versus

1.The Commissioner
Greater Chennai Corporation
Rippon Building, Poonamallee High Road,
Chennai 600 003.

2.The Zonal Officer,
Zone -VI,
Chennai Corporation
No.5, Anderson Road, Ayanavaram,
Chennai 600 023.

3.The Commissioner of Police
Greater Chennai City,
Vepery, Chennai 600 007.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issue of a Writ of Mandamus, to direct the respondents officials, to conduct enquiry on the petitioner's representation dated 28.06.2016 and to

demolish the unauthorised construction on the street in the name of "MadhaTemple".

For Petitioner ::: Mr.P.Ayyaswamy

For Respondents ::: Mr.K.Soundarajan

for R.1 to R.3

ORDER

(The Order of the Court was made by The Hon'ble The Chief Justice)

We are once again faced with the petition seeking disposal of representation against unauthorised construction made on 28.06.2016. Three and half months have elapsed and it is confirmed by the learned counsel for the Corporation that nothing has been done as yet.

2. We have repeatedly endeavoured to emphasise to the State Government/Public authorities that they must attend to representations within time and the State Government has even issued a G.O.Ms.No.99 / Personnel and Administrative Reforms (A) Department dated 21.09.2015 requiring all representations to be attended within one month. The result is that citizens have to approach court only for purposes of disposal of representation and no action is taken even once or other despite lapse of considerable time nor the

petitioner communicated the result of the representation.

3. Mr.S.Prabhu, learned Standing Counsel appearing for the Slum Clearance Board states that he has obtained instructions from the Executive Engineer, Zone-6, Chennai Corporation that action in accordance with law will be taken within two weeks. We take the said statement on record.

4. We however consider it appropriate burdening the respondent with costs, favouring the petitioner for not having taken action in time, quantified at Rs.5000/- to be paid to the petitioner and recovered from the Officer responsible for not having complied with the aforesaid Government Order.

5. The writ petition accordingly stands disposed of, leaving the parties to bear their own costs.

Index:Yes/no
Internet:Yes

(S.K.K.,CJ) (R.M.D.,J.)
18.10.2016

The Hon'ble The Chief Justice
and
R.Mahadevan, J

ksr

To

1.The Commissioner, Greater Chennai Corporation
Rippon Building, Poonamallee High Road, Chennai 600 003.

2.The Zonal Officer, Zone -VI, Chennai Corporation
No.5, Anderson Road, Ayanavaram, Chennai 600 023.

3.The Commissioner of Police,
Greater Chennai City, Vepery, Chennai 600 007.

W.P.No.36222 of 2016

18.10.2016