

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 22.07.2016

Coram:

The Honourable Mr.SANJAY KISHAN KAUL, CHIEF JUSTICE
and
The Honourable Mr.Justice R.MAHADEVAN

W.P.No.25508 of 2016

S.Christpher Emmanuel
S/o.Late Stanley Joseph
19/10, Thalamuthu Street,
Annai Anjugam Nagar,
GKM Colony, Chennai 600 082. Petitioner

Versus

1. The Member Secretary,
Chennai Metropolitan Development Authority
Gandhi - Irwin Road,
Egmore, Chennai 600 008.

2.The Commissioner
Corporation of Chennai
Rippon Buildings, Poonamallee Road,
Chennai 600 003.

3.The Executive Engineer V
War No.58, Unit 14,
Zonal Office -V,
No.61, Basin Bridge Road,
Chennai 600 021.

4.The Church at Jehova Shamma Society
rep. by its Secretary Mr.R.Victor Thiraragajan
No.4, Church Lane, Rithordon road,
Vepery, Chennai 600 007. ... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issue of a writ of Mandamus, directing the respondent No.2 to consider the representation of the petitioner dated 04.05.2016 and demolish the construction of the building in the premises at No.4, Church Lane, Rithordon road, Vepery, Chennai 600 007.

For Petitioner	::: Mr.M.Ramamoorthi
For Respondents	::: Mr.Rajasrinivasan for R.1 Mr.V.C.Selvasekar for R2 and R.3

O R D E R

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

The petitioner appears to be a disgruntled member of the society and if he is aggrieved by the functioning of the society, there are appropriate remedies available, but not through a Public Interest Litigation.

2. In the aforesaid process, the petitioner has made a complaint in respect of some unauthorised constructions, for which stop work notices have been issued by the Corporation. Though we are not inclined to pass any order on this petition, we must observe that it is the bounden duty of the Corporation to take action in accordance with law and not permit its notices to be violated with impunity.

3. Writ petition is dismissed with the aforesaid observation, leaving the parties to bear their own costs. Consequently connected miscellaneous petition is closed.

ksr

Assistant Registrar(CS-IV)

True Copy

Sub-Assistant Registrar

To

1. The Member Secretary,
Chennai Metropolitan Development Authority
Gandhi - Irwin Road, Egmore, Chennai 600 008.

2.The Commissioner, Corporation of Chennai
Rippon Buildings, Poonamallee Road, Chennai 600 003.

3.The Executive Engineer V
War No.58, Unit 14, Zonal Office -V,
No.61, Basin Bridge Road, Chennai 600 021.

+ 1 cc to Mr.M.Ramamurthy, Advocate SR 41729

+ 1 cc to Mr.K.Raja Shinivas, Advocate SR 41754

+ 1 cc to the Govt.Pleader SR 41935

gj(ii)
prk4/8

W.P.No.25508 of 2016