

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.08.2016

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G. RAMESH
and
THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

Writ Petition No.26087 of 2016

G. Vaithiyalingam ...Petitioner

Vs.

1.The Commissioner,
Corporation of Chennai,
Rippon Buildings,
Chennai - 600 003.

2.The Thasildhar
Mambalam Taluk Office,
Mambalam, Chennai - 600 033.

3. Mr. Boopathi ...Respondents.

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus or any other appropriate Writ, order or direction to direct the 1st Respondent to dispose of the Petitioner's representation dated 03.02.2015 and consequently to remove the encroacher and clear the drainage line at the place of Raja Street, Devaraj Nagar, Saligramam, Chennai - 600 093.

For Petitioner : Mr.M.Chidambaram

For Respondents : Mr.V.C.Selvasekaran for R1
Mr.P.S.Sivashanmugasundaram
Spl.G.P. For R2.

O R D E R

(Order of the Court was made by HULUVADI G. RAMESH, J.)

Heard Mr.M.Chidambaram, learned counsel for the petitioner, Mr.V.C.Selvasekaran, learned Standing counsel accepting notice for the 1st respondent and Mr.P.S.Sivashanmugasundaram, learned Special Government Pleader, accepting notice for the 2nd respondent. Notice to respondent No.3 is dispensed with, at this stage, inasmuch as no adverse order is passed against him in this Writ Petition.

2. This Writ Petition is filed seeking a direction to the 1st respondent to dispose of the petitioner's representation dated 03.02.2015 in respect of removing the encroachment in the drainage line, Raja Street, Devaraj Nagar, Saligramam, Chennai-600 093.

3. Noticing that the private respondent has made encroachment on the aforesaid drainage line, the petitioner has made a representation dated 03.02.2015 to the first respondent, seeking removal of the said encroachment. Finding no response to his representation, the petitioner is before this court.

4. The learned Special Government Pleader and Standing counsel appearing for the official respondents submits that after verifying as to whether the private respondent has made encroachment on the drainage line, appropriate orders would be passed on the petitioner's representation on its own merits and in accordance with law.

5. In view of the above submission, this Writ Petition is disposed of with a direction to the respondent/authorities to do the needful in accordance with law. Needless to state that an opportunity of hearing be afforded to the private respondent, before taking any consequential action, if need be. No costs.

Sd/-

Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

To

1.The Commissioner,
Corporation of Chennai,
Rippon Buildings, Chennai - 600 003.

2.The Thasildhar, Mambalam Taluk Office,
Mambalam, Chennai - 600 033.

+1 cc to M/s.M.Chidambaram, advocate,sr.47042

+1 cc to Govt.Pleader,sr.47704.

rp(co)

krd 12/9

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