IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.08.2016

CORAM

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

W.P.No.29832 of 2016
&
WMP No.25530 of 2016

K.Jayachandra Yadav .. Petitioner

-vs-

1. The Commissioner
Corporation of Chennai
Ripon Buildings
Madras 600 003

2. The Executive Engineer
Corporation of Chennai
Zonal Office-10
No.117, N.S.K.Salai
Kodambakkam
Chennai 600 024

3. Karthik
S/o M.Senthamaraikannan .. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents 1 and 2 to take appropriate and immediate action to demolish the illegal/unauthorised construction made at 9/21, Alagiri Nagar 3rd Street, Vadapalani, Chennai 600 026 made by the third respondent by considering the petitioner's representation dated 3.8.2016.

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For Petitioner :: Mr.R.Jayaprakash

For Respondents:: Mr.A.Nagarajan for R1 & R2

ORDER

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

The petitioner seeks for issuance of a writ of mandamus, directing the respondents 1 and 2 to take appropriate and immediate action to demolish the illegal/unauthorised construction put up at 9/21, Alagiri Nagar Third Street,

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Vadapalani, Chennai 600 026 by the third respondent by considering the petitioner's representation dated 3.8.2016.

2. Heard the learned counsel for the petitioner and the learned standing counsel taking notice on behalf of the first and second respondents.

3. It appears that the petitioner is said to have submitted a representation to the respondents 1 & 2 alleging the illegal construction put up by the third respondent adjacent to his property. Since no order has been passed on the said representation, he is before this Court.

4. However, the learned standing counsel for the respondents 1 & 2 has submitted that the authorities, after issuing a notice, are pursuing the matter and would initiate appropriate action according to law against the violator.

5. In view of the above, it is for the Corporation authorities to consider the representation of the petitioner and to do the needful in accordance with law. However, before passing any orders, the owner of the property in question shall also be heard in the matter. With this observation, the writ petition stands disposed of. Consequently, W.M.P.No.25830 of 2016 is closed. No costs.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

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

2. The Executive Engineer
Corporation of Chennai
Zonal Office 10
No.117, N.S.K.Salai
Kodambakkam, Chennai 600 024

1 cc to Mr.A.Nagarajan, Advocate, sr.49334
1 cc to R.Jayaprakash, Advocate, sr.49078

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ctk co, kra 08.09.2016

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