

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 7.9.2016

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH
AND

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.30953 of 2016

N.Kasivisvanathan

... Petitioner

Versus

1. The Commissioner
Corporation of Chennai
Rippon Building
Chennai 600 003
2. The Regional Joint Commissioner
Corporation of Chennai
South Zone, Zone 13
Adyar Chennai 600 020
3. The Regional Deputy Commissioner
(Enforcement Cell)
South Office Adyar
Chennai 600 020
4. The Junior Engineer
Corporation of Chennai
Division 176 Zone 13
Adyar Chennai 600 020

5. N.Venkatesh

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing respondents 1 to 4 to consider the representation dated 30.5.2016 and take necessary action within a stipulated time as may be deemed fit.

For petitioner : Mr.T.Mohan for
Mr.D.Bennington

For RR1 to 4 : Mr.V.C.Selvasekaran

For R5 : Mr.S.R.Raghunathan

ORDER

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

Heard the learned counsel appearing for the parties.

2. The writ petition has been filed seeking issuance of a writ of mandamus directing respondents 1 to 4 to consider the representation dated 30.5.2016 and take necessary action within a stipulated time as may be deemed fit.

3. It appears that in connection with an unauthorized construction, the writ petitioner sought for removal of encroachment, etc. It also appears that the dispute is between two brothers. One brother is complaining the other with regard to the alleged encroachment and illegal construction. In this regard, notice had already been sent by the petitioner to respondents 1 to 3 herein. It is also brought to the notice of this court that the Corporation is about to issue the lock and seal notice.

4. Be that as it may, considering the facts and circumstances of the case, this court hereby directs that the petitioner as well as the fifth respondent shall appear before the Zonal Officer concerned on 15th of this month, who shall conduct an enquiry by hearing the petitioner as well as the fifth respondent and submit his report to the Commissioner, Corporation of Chennai immediately, who, in return, shall take a decision, on merits and in accordance with law, by the end of this month. Status quo shall be maintained by the parties till then. The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//सत्यमेव जयते

Sub Assistant Registrar

ssk.

To:

1. The Commissioner
Corporation of Chennai
Rippon Building
Chennai 600 003
2. The Regional Joint Commissioner
Corporation of Chennai
South Zone, Zone 13
Adyar Chennai 600 020

3. The Regional Deputy Commissioner
(Enforcement Cell)
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Chennai 600 020

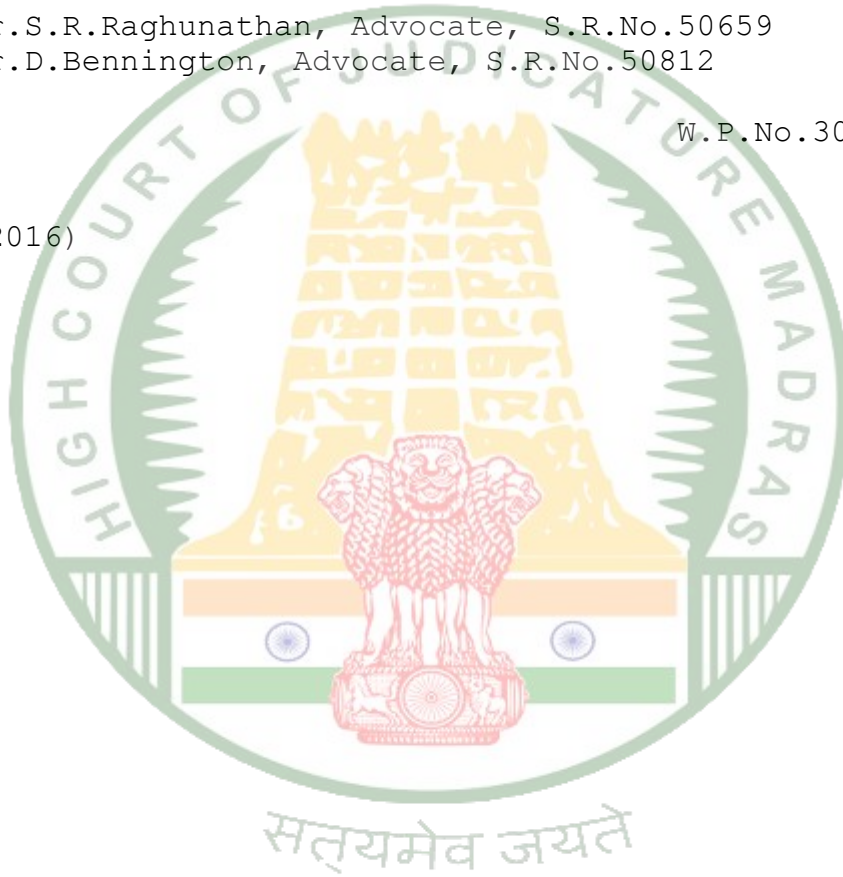
4. The Junior Engineer
Corporation of Chennai
Division 176 Zone 13
Adyar Chennai 600 020

+lcc to Mr.S.R.Raghuathan, Advocate, S.R.No.50659

+lcc to Mr.D.Bennington, Advocate, S.R.No.50812

W.P.No.30953 of 2016

TRM(CO)
CA(14/09/2016)



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