

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.11.2016

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P.No.32419 of 2016

N.Vibhushanan

... Petitioner

-vs-

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

2.The Zonal Officer,
Zone - 9, Corporation of Chennai
No.1, Lake Area 4th Cross Street,
Nungambakkam,
Chennai-600 034.

3.The Executive Engineer,
Enforcement Wing,
Corporation of Chennai,
No.31, Mulla Avenue,
Shenoy Nagar,
Chennai-600 030.

4.The Member Secretary,
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Maaligai,
No.1, Gandhi Irwin Road,
Egmore, Chennai-600 008.

5.Anandan

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the respondents 1 to 4 to take action to remove the unauthorized construction made by the 5th respondent viz., No.40/97, Karaneewswaran Koil Street, Mylapore, Chennai-600 004 and encroachment made on the 3 feet lane based on the representation

of the petitioner dated 27.07.2016.

For Petitioner : Mr.P.Rajalingam
For Respondents : Mr.K.Soundararajan for R1 to R3
Mr.K.Rajasrinivas for R4
Mr.V.S.Rameshkumar for R5

ORDER

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

There are two allegations made by the petitioner against his neighbour/respondent No.5 - (i) encroachment on public street; (ii) unauthorised construction.

2. The learned counsel for the Corporation/first three respondents states that an inspection has already been made and there is no encroachment on any public street, as it is an internal road. It is further submitted that in so far as the allegation of unauthorised construction is concerned, the same is being examined and the process is being initiated, which would be concluded within a maximum period of two months' from today in accordance with law, after notice to all concerned.

3. We take the aforesaid statement on record and the Corporation shall remain bound by the same.

4. The writ petition, accordingly, stands disposed of. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

bbr

To

- 1.The Commissioner,
Corporation of Chennai,
Rippon Building,
Chennai - 600 003.
- 2.The Zonal Officer,
Zone - 9, Corporation of Chennai
No.1, Lake Area 4th Cross Street,
Nungambakkam,
Chennai-600 034.

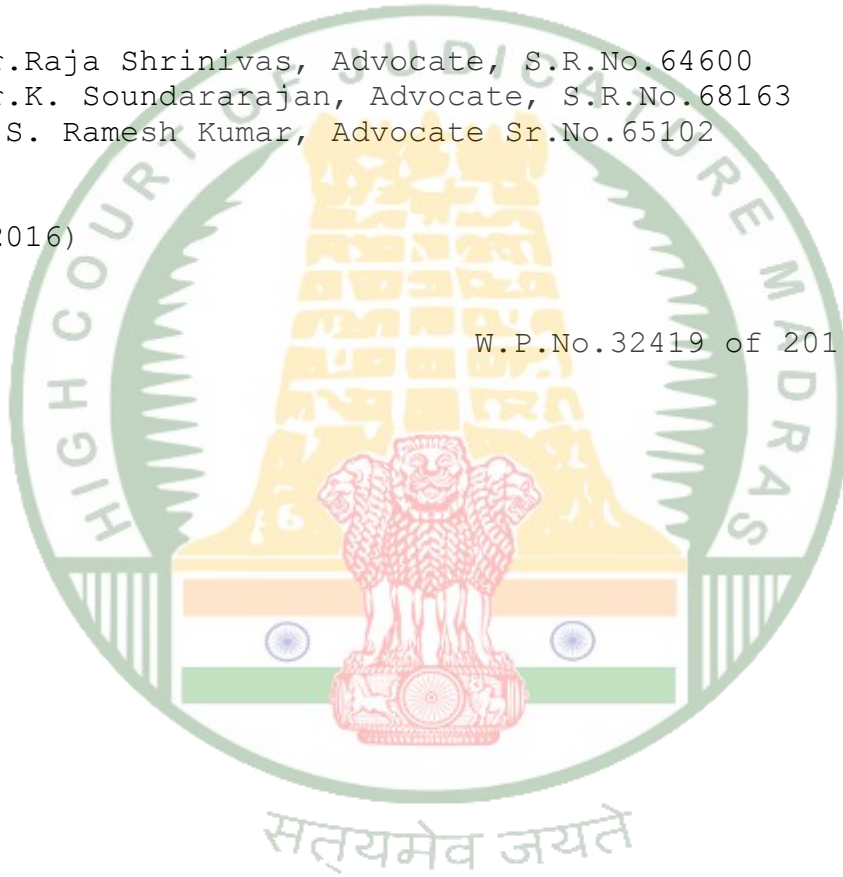
3.The Executive Engineer,
Enforcement Wing,
Corporation of Chennai,
No.31, Mulla Avenue,
Shenoy Nagar,
Chennai-600 030.

4.The Member Secretary,
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Maaligai,
No.1, Gandhi Irwin Road,
Egmore, Chennai-600 008.

+1cc to Mr.Raja Shrinivas, Advocate, S.R.No.64600
+1cc to Mr.K. Soundararajan, Advocate, S.R.No.68163
+1cc to V.S. Ramesh Kumar, Advocate Sr.No.65102

sm(CO)
md(23/11/2016)

W.P.No.32419 of 2016



WEB COPY