

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.11.2016

CORAM :

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

AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P. No.40418 of 2016

C.N.Karthikayan

.. Petitioner

-vs-

1.The Commissioner,
Corporation of Chennai,
Ripon Building, Chennai 600 003.

2.The Commissioner,
O/o.Chennai Metropolitan Development
Authority, Egmore, Chennai 600 008.

3.Poovendhan

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the 1st respondent to consider the representation given by the petitioner dated 26.10.2016 and take appropriate action according to law.

For Petitioner : Mr.J.R.Prabhakaran

For Respondents : Mr.A.Nagarajan for R-1

: Mr.N.Sampath for R-2

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O R D E R

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

The petitioner claims that the private respondent no.3 is putting up construction without any plan approval, which, in turn, is affecting the easementary rights of the petitioner. No action is stated to have been taken despite representations, the last being one on 26.10.2016.

2.On hearing the learned counsel for parties, we call upon the first respondent / Commissioner to decide the representation of the petitioner after inspection of site and after notice to all concerned, within a maximum period of two (2) months from

the date of receipt of the order. Since the petitioner has approached the Court, the property of the petitioner is equally liable to be inspected and dealt with in the same manner within the same time, in view of the judgment of Division Bench of this Court in Consumer Action Group, Rep. By its Trustee vs. State of Tamil Nadu and Others, 2006 (4) CTC 483.

3.Writ petition is, accordingly, disposed of. No costs.

Sd/-
Asst.Registrar (CS VII)

/true copy/

Sub Asst. Registrar

To

1.The Commissioner,
Corporation of Chennai,
Ripon Building, Chennai 600 003.

2.The Commissioner,
O/o.Chennai Metropolitan Development
Authority, Egmore, Chennai 600 008.

+1 cc to Mr.J.R.Prabhakaran,advocate,sr.66471

+1 cc to Mr.A.Nagarajan,advocate,sr.66584.

vd(co)
krd 29/11

W.P.No.40418 of 2016

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