

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.12.2016

CORAM :

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

AND

The Hon'ble MR.JUSTICE M.SUNDAR

W.P.No.44086 of 2016

M.Ananda Kumar

.. Petitioner

-vs-

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

2.The Regional Deputy Commissioner (Central),
Door No.36B, 2nd Cross Street,
Pulla Avenue, Shenoy Nagar,
Chennai-600 030.

3.The Assistant Engineer,
Division 170 (Old Division 140),
Corporation of Chennai,
No.27, South Face Road,
Guindy Industrial Estate,
Ekkattuthangal, Chennai-600 032.

4.Kumar

.. Respondents

Writ Petitions filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the respondents 1 to 3 to consider the petitioner's representation dated 19.12.2014 and 18.11.2016 and demolish the unauthorised construction put up by the fourth respondent at Door No.8, Kannagi Street, Visalatchi Nagar, Ekattuthangal, Chennai-600 032.

For Petitioner : Mr.K.Elangoo
For Respondents : Mr.R.Arunmozhi for R1 to R3
No Appearance for R4

ORDER

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

On hearing the learned counsel for parties, it is quite obvious that the petitioner and the neighbour/respondent No.4

have a dispute and the petitioner alleges that an unauthorised construction has been put up by respondent No.4, which affects the enjoyment of the rights of the petitioner. The petitioner claims to have made a representation as far back on 19.12.2014 and a reminder dated 18.11.2016, but no action is stated to have been taken by the respondent authorities.

2. We, thus, direct respondent No.3 to cause an inspection to be made at the site within fifteen days of the receipt of the copy of this order to determine the veracity of the allegation of the petitioner and thereafter, take a decision in accordance with law, after notice to all concerned and conclude the same within a maximum period of three months thereafter.

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

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

- 1.The Commissioner,
Corporation of Chennai,
Ripon Building, Chennai-600 003.
- 2.The Regional Deputy Commissioner (Central),
Door No.36B, 2nd Cross Street,
Pulla Avenue, Shenoy Nagar, Chennai-600 030.
- 3.The Assistant Engineer,
Division 170 (Old Division 140),
Corporation of Chennai,
No.27, South Face Road,
Guindy Industrial Estate,
Ekkattuthangal, Chennai-600 032.

+1cc to Mr.K. Elango, Advocate, S.R.No.74887
+1cc to Mr.R. Arunmozhi, Advocate, S.R.No.74750

su(CO)
md(02/01/2017)

W.P.No.44086 of 2016