

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.02.2016

CORAM:

THE HON'BLE MR. JUSTICE SATISH K. AGNIHOTRI
and
THE HON'BLE MR. JUSTICE M. VENUGOPAL

W.P. No.5562 of 2016

S. Kokila

Petitioner

Vs.

- 1 The Member Secretary
CMDA, Chennai 600 008
- 2 The Commissioner
Corporation of Chennai
Ripon Building, Chennai 600 003
- 3 The Executive Engineer
Corporation of Chennai
Regional Office Central
II Cross Street, Pulla Avenue
Shenoy Nagar, Chennai 600 030
- 4 Mohana

Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of mandamus directing the respondents 1 to 3 to consider the petitioner's representation dated 04.09.2015 and to demolish the unauthorised construction of the building which is in a dilapidated condition in the 1st floor of the rear portion of the petitioner's premises at Door No.1, Guruvappa Maistry Street, Ayanavaram, Chennai - 23 comprised in Paimash No.1200 and T.S. No.93 part of block no.13 of Ayanavaram Village.

For petitioner Mr. S. Vijayaraghavan

ORDER

(delivered by SATISH K. AGNIHOTRI, J.)

This writ petition is filed seeking a writ of mandamus directing the respondents 1 to 3 to consider the petitioner's representation dated 04 September 2015 and to demolish the alleged unauthorised construction of the building in question made by the fourth respondent.

2 At the threshold, it is worth pointing out that the issue involved herein comes within the realm of a private dispute betwixt the petitioner and the fourth respondent, who is none other than the petitioner's elder sister. Thus, the appropriate forum, to lay at rest, the controversy between the petitioner and the fourth respondent, is the competent Civil Court and not the High Court, exercising its extraordinary jurisdiction under Article 226 of the Constitution of India.

As a sequel, this writ petition is dismissed as not maintainable.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

cad

To

- 1 The Member Secretary
CMDA
Chennai 600 008
- 2 The Commissioner
Corporation of Chennai
Ripon Building
Chennai 600 003
- 3 The Executive Engineer
Corporation of Chennai
Regional Office Central
II Cross Street
Pulla Avenue
Shenoy Nagar, Chennai 600 030

+1 cc to M/s.Renukadevi Advocate sr.9878
+1 cc to M/s.R.Arunmozhi Advocate sr.9702

W.P. No.5562 of 2016

mp(co)
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