

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.03.2016

CORAM:

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

W.P. No.9473 of 2016 and W.M.P. No.8481 of 2016

D. Ravi

Petitioner

Vs.

1 The Commissioner
Corporation of Chennai
Ripon Building Chennai 600 003

2 The Zonal Officer
Anna Nagar Zonal Office (No.8)
Corporation of Chennai
Pulla Avenue, Shenoy Nagar
Chennai 600 030

3 The Junior Engineer
Chennai Corporation (Div. No.102)
T.P. Chatram Chennai 600 030

4 D. Raju

Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of mandamus directing respondents 1 to 3 to consider the petitioner's representation dated 04.03.2016 and consequently to take action against the fourth respondent in accordance with law for removal of illegal construction in No.143/89, Plot No.166, K.V.N. Puram, T.P. Chatram, Chennai 600 010.

For petitioner Mr. M. Saravanan
For RR 1 to 3 Mr. R. Arunmozhi, Standing Counsel

ORDER

(delivered by SATISH K. AGNIHOTRI, J.)

Mr. R. Arunmozhi, learned Standing Counsel, accepts notice for respondents 1 to 3. Notice to the third respondent is dispensed with at this stage, inasmuch no order prejudicial to his interest is passed in this writ petition.

2 This writ petition is filed seeking a writ of mandamus directing respondents 1 to 3 to consider the petitioner's representation dated 04 March 2016 and consequently to take action against the fourth respondent in accordance with law for removal of illegal construction in No.143/89, Plot No.166, K.V.N. Puram, T.P. Chatram, Chennai 600 010.

3 The dispute involved herein is purely private in nature, as the petitioner, claiming to be a co-sharer of the concerned land, submits that the fourth respondent, his elder brother, has started construction of a building without earmarking his share in the land in question.

4 In such view of the matter, this writ petition is not maintainable. However, liberty is reserved to the petitioner to work out his remedy in the manner known to law.

Accordingly, this writ petition stands dismissed with the above observation. Costs made easy. Connected Miscellaneous Petition is closed.
cad

s/d-
Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

To

- 1 The Commissioner
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+ 1 cc to M/s.Arul Selvam, Advocate, SR 16759

+ 1 cc to Mr.R.Arunmozhi, Advocate, SR 16298

kgk(co)
prk23/3

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