

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.03.2017

CORAM

THE HON'BLE MR.HULUVADI G.RAMESH, ACTING CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE RMT.TEEKAA RAMAN

W.P.No.7176 of 2017
and W.M.P.No.7800 of 2017

C. Kubendran

.. Petitioner

-vs-

1.The Commissioner,
St. Thomas Mount Panchayat Union,
Chitalapakkam, Chennai

2.S. Ravichandran

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the first respondent to consider the petitioner's representation dated 1.03.2017 and consequently direct the 1st respondent to stop the unauthorisation construction in 2/85, 7th street, Raghava Nagar, Moovarasanpettai, Chennai 600 091.

For Petitioner : Mr.S.N.Subramani
For R1 : Mr.M.K.Subramanian,
Government Pleader

ORDER

(Order of the Court was made by
THE HON'BLE ACTING CHIEF JUSTICE)

Heard the learned counsel appearing for the petitioner and Mr.M.K.Subramanian, learned Government Pleader appearing for the first respondent.

2. The writ petition has been filed seeking issuance of a Writ of Mandamus directing the first respondent to consider the petitioner's representation dated 1.03.2017 and consequently direct the 1st respondent to stop the unauthorisation construction in 2/85, 7th street, Raghava Nagar, Moovarasanpettai, Chennai 600 091.

3. The case of the petitioner is that he is the owner of the residential home bearing No.2/85, 7th Street, Raghava Nagar, Moovarasanpet, Chennai and the second respondent-owner of the adjacent property had put up his construction without any plan approval and without leaving sufficient space resulting in dearth of air and light to the petitioner's house and despite the representation dated 1.3.2017 in this regard, submitted by the petitioner to the first respondent, no action has been taken and hence, the present writ petition has been filed.

4. On going through the facts and circumstances of the case, this court is of the view that civil dispute is involved in the matter. Hence, it is for the petitioner to approach the civil court for injunction and other appropriate relief. The writ petition is disposed of accordingly. No costs. The connected miscellaneous petition is closed. However, respondent authority to look into the matter.

-s/d-

Assistant Registrar(CSVI)

True Copy

Sub-Assistant Registrar

ssk.

To

The Commissioner,
St. Thomas Mount Panchayat Union,
Chitalapakkam, Chennai.

+1 cc to Government Pleader sr 18835

+1 cc to Mr.S.N.Subramani Advocate sr 18791

सत्यमेव जयते

W.P.No.7176 of 2017

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