

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.04.2017

CORAM

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

THE HON'BLE MR.JUSTICE RMT.TEEKAA RAMAN

W.P.No.6406 of 2017

Shayestha Fathima

.. Petitioner

Vs.

- 1 The Commissioner
Corporation of Chennai
Rippon Buildings
EVR Salai, Periamet,
Chennai 600 003
- 2 The Regional Deputy
Commissioner (Central)
Corporation of Chennai
Door No.36-B 2nd Cross Street
Pulla Avenue, Shenoy Nagar,
Chennai 600 030
- 3 The Superintending Engineer
The Regional Deputy Commissioner Office (Central)
Corporation of Chennai
Door No.36-B 2nd Cross Street
Pulla Avenue, Shenoy Nagar,
Chennai 600 030
- 4 The Executive Engineer
Zone-IX, Corporation of Chennai,
No.1 Lake Area, 4th Cross Street,
Nungambakkam
Chennai 600 034.
- 5 The Assistant Executive
Engineer Zone-IX Division No. 114
Corporation of Chennai
No.2 Dr. Besant Road
Chennai 600 005

- 6 The Junior Engineer
Zone-IX Division No.144
Corporation of Chennai
Arunachalam Street
Chepauk,
Chennai 600 005
- 7 The Member Secretary
Chennai Metropolitan Development Authority
No.1 Gandhi Irvin Road
Egmore, Chennai 600 008
- 8 M/s.K.M.Foundation
Rep. by Proprietor K.Mahaboobjan
Plot No. 14 TNEB Colony
Menambedu Village,
Ambattur Municipality
Chennai 600 053
- 9 Ishrath Jehan
- 10 Fazeelath Jehan
- 11 A.Jameel Ahmed
- 12 A.Noor Jehan
- 13 A.Ishrath Jehan
- 14 A.Shakeel Ahmed
- 15 A. Nusrath Jehan
- .. Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of mandamus directing the respondents 1 to 7 to consider the petitioner's representation dated 07.11.2016 to initiate action against the unauthorised construction made by the 8th and 9th respondents in the property bearing Door No.45, Vllaba Agraharam Street, Triplicane, Chennai - 600 005 measuring an extent of 5792 sft., comprised in R.S.No.525 of Triplicane Village.

For Petitioner : Mr.T.Velumani

For Respondents : Mr.K.Nagarajan
for respondents 1 to 6

Mr.K.Rajasrinivas
for 7th respondent

ORDER

(Order of the Court was made by the Acting Chief Justice)

This writ petition has been filed seeking for issuance of a writ of mandamus directing the respondents 1 to 7 to consider the petitioner's representation dated 07.11.2016 and to initiate action against the unauthorised construction made by the 8th and 9th respondents in the property bearing Door No.45, Vllaba Agraharam Street, Triplicane, Chennai - 600 005 measuring an extent of 5792 sft., comprised in R.S.No.525 of Triplicane Village.

2. Heard the learned counsel for the petitioner and the learned counsel for respondents 1 to 6 and 7.

3. It is the case of the petitioner that respondent No.8 has put an unauthorised construction of two flats in the ground floor and six flats in the third floor of building in Door No.5, Vallaba Agraharam Street, Triplicane, Chennai. On 07.11.2016, the petitioner sent representation to the respondent authorities requesting them to take action against the unauthorised construction. Despite receipt of the said representation, the respondent authorities have not taken any action. Hence, the petitioner has filed the writ petition seeking the relief stated supra.

4. The learned counsel appearing for respondents 1 to 6 and 7 jointly submit that action being taken against the building in question by issuing lock and seal notice.

5. In view of the submission made by the learned counsel for the respondents, without going into merits and demerits of the matter, we direct the respondent authorities to proceed with the matter in accordance with law and conclude the proceedings as expeditiously as possible.

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

Sd/-

Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

To:

1 The Commissioner,
Corporation of Chennai,
Rippon Buildings, EVR Salai, Periamet,
Chennai 600 003.

- 2 The Regional Deputy Commissioner (Central)
Corporation of Chennai
Door No. 36-B 2nd Cross Street
Pulla Avenue, Shenoy Nagar, Chennai 600 030.
- 3 The Superintending Engineer.
The Regional Deputy Commissioner Office (Central)
Corporation of Chennai, Door No. 36-B 2nd Cross Street
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- 6 The Junior Engineer
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Arunachalam Street
Chepauk, Chennai 600 005
- 7 The Member Secretary
Chennai Metropolitan Development Authority
No.1 Gandhi Irvin Road
Egmore, Chennai 600 008.

+1 cc to Mr.K.Rajasrinivas, advocate, sr.19997

+1 cc to Mr.A.Nagarajan, advocate, sr.19947

+1 cc to Mr.T.Velumani, advocate, sr.19929.

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krd 19/4

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