

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.03.2016

CORAM:

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

W.P. No.11504 of 2016 and W.M.P. No.9941 of 2016

1 S. Saravanan
2 K. Senthil Kumar
3 S. Sekar
4 V. Jayabalan
5 S. Sateesh Kumar
6 Sukumar
7 N. Dhanaprabhu
8 Johnson Anthony Raj
9 J. Pandurangan
10 Ramar

Petitioners

vs.

1 The Member Secretary
Chennai Metropolitan Development Authority
Thalamuthu Natarajan Building
1, Gandhi Irwin Road
Chennai 600 008
2 The Commissioner
Chennai City Corporation
Ripon Buildings
Chennai
3 Sri Venkateswara Homes
represented by its Partner Narendar G. Jain
having office at Flat No.1C
Crystal Lawn
No.20, Haddows Road, First Street
Nungambakkam
Chennai 600 034

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents 1 and 2 herein to take appropriate action on the representation dated 23.11.2015 submitted by the petitioners herein, at the earliest point of time, as fixed by this Hon'ble Court.

For petitioners	Mr. J. Pothiraj
For R1	Mr. N. Sampath, Standing Counsel
For R2	Mr. A. Nagarajan, Standing Counsel

ORDER

(delivered by SATISH K. AGNIHOTRI, J.)

Mr. N. Sampath, learned Standing Counsel, accepts notice for the first respondent. Mr. A. Nagarajan, learned Standing Counsel, accepts notice for the second respondent. Notice to the third respondent is dispensed with at this stage, inasmuch as no order prejudicial to its interest is passed in this writ petition. Thus, with the consent of the learned counsel for the petitioner and the learned Standing Counsel for respondents 1 and 2, this writ petition is taken up for final disposal, at the admission stage itself.

2 This writ petition is filed seeking a writ of mandamus directing the respondents 1 and 2 to take appropriate action on the representation dated 23 November 2015 submitted by the petitioners within a time frame.

3 Pointing out the alleged violations and defaults committed by the third respondent-promoter in the construction of VRISA Apartments at Adambakkam, Chennai, the petitioners addressed a representation dated 23 November 2015 to the official respondents, seeking to initiate action against the third respondent and for rectification of all the shortcomings in the said construction. Finding no response to the same, the petitioners addressed another representation to the official respondents on 13 January 2016. Since no action has been taken by the authorities on the aforestated representations, the petitioners have come up with the instant writ petition seeking the aforestated relief.

4 Considering the limited scope of the relief sought by the petitioners, without going into the merits of the case, we direct the official respondents to consider and pass appropriate orders on the petitioners' aforestated representations, on their own merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order. Needless to state that an opportunity of hearing be afforded to the third respondent, before taking any consequential action, if need be.

The writ petition stands disposed of with the above direction and observation. Costs made easy. Connected W.M.P. is closed.

Sd/-

Assistant Registrar (AS)

//True Copy//

Sub Assistant Registrar

cad

To

1 The Member Secretary
Chennai Metropolitan Development Authority
Thalamuthu Natarajan Building
1, Gandhi Irwin Road
Chennai 600 008

2 The Commissioner
Chennai City Corporation
Ripon Buildings, Chennai

+1 cc to Mr.J.Pothiraj, Advocate, sr.19441

+1 cc to M/s.N.Sampath, Advocate, sr.19321

+1 cc to Mr.A.Nagaraj, Advocate, sr.19348

W.P. No.11504 of 2016

ctk co
kra 11.04.2016

सत्यमेव जयते
WEB COPY