

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.04.2017

CORAM

THE HON'BLE MS. INDIRA BANERJEE, CHIEF JUSTICE
AND

THE HON'BLE MR.JUSTICE M.SUNDAR

W.P.No.8699 of 2017

&

WMP No.9486 of 2017

M.Lavanya Petitioner

Vs.

1 The Chairman
Slum Clearance Board
Kamarajar Salai
Chennai - 600 003.

2 The Commissioner
Corporation of Chennai
Ripon Building
Chennai - 600 003.

3 Rajaram ... Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of Writ of Mandamus directing respondents 1 and 2 to remove the encroachment made by the 3rd respondent in the Amman Koil Street, leading from Plot No.131, to Thirumoolar Colony, Anna Nagar West, Chennai - 600 040 and to demolish the unauthorised construction put up by him in plot No.140, Door No.15/A, Amman Koil Street, Thirumoolar Colony, Anna Nagar West, Chennai - 600 040.

For Petitioner : Mr.S.Krishnasamy

For Respondents : Mr.S.Prabhu, Standing
Counsel
for 1st respondent

Mr.V.C.Selvasekaran
for 2nd respondent
R3-NA

ORDER

(Order of the Court was made by M.Sundar,J.)

The writ petitioner and the third respondent before us own adjacent pieces of land (housing plots). The writ petitioner owns Plot No.131 and the third respondent owns Plot No.140. Plot Nos.131 and 140 are adjacent to each other.

2. The writ petitioner has come up with this writ petition with a prayer to direct the official respondents 1 and 2 (Slum Clearance Board and Corporation of Chennai respectively) to take action against the alleged unauthorized construction that is being put up in Plot No.140 by the third respondent.

3. It is seen that the writ petitioner has sent a notice through lawyer dated 6.9.2016, inter alia, to the two official respondents before us, namely respondents 1 and 2 (there are some other official respondents also who are noticees in the said notice).

4. Be that as it may, considering the records placed before us and the submissions made at the bar (Mr.S.Prabhu, learned counsel accepts notice for the first respondent and Mr.V.C.Selvasekaran, learned counsel accepts notice for the second respondent), we deem it appropriate to record the submission of the learned counsel for the writ petitioner that he undertakes to give a representation (a representation from the writ petitioner and not a lawyer's notice) regarding the alleged unauthorized construction that is being put up in Plot No.140 by the third respondent. The petitioner undertakes to do so within a week from today.

5. On such representation being given, the official respondents 1 and 2 are directed to cause a local inspection to be made within a fortnight thereafter, give notice to both the writ petitioner and the third respondent and thereafter proceed in accordance with law.

The writ petition is disposed of accordingly. No costs.
Consequently, W.M.P.No.9486 of 2017 is closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

sasi

To:

- 1 The Chairman,
Slum Clearance Board,
Kamarajar Salai,
Chennai - 600 003.
- 2 The Commissioner,
Corporation of Chennai,
Ripon Building,
Chennai - 600 003.

+1cc to Mr.S.Prabhu, Advocate Sr.22042

+1cc to Mr.S.Krishnasamy, Advocate Sr.21850

W.P.No.8699 of 2017

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सत्यमेव जयते

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