

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2017

CORAM

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

W.P.No.11052 of 2017
and W.M.P.No.12000 of 2017

S.Bangarusamy

.. Petitioner

Vs.

1. The Commissioner,
Coimbatore Corporation,
Coimbatore 641 018.

2. The Assistant Commissioner,
South Zone, Coimbatore Corporation,
Coimbatore 641 018.

3.N.Banumathi

.. Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 1st respondent to initiate the suitable action against 2nd respondent's notice 1) S.R.No.240/16/H/s dated 09.11.2016 relating to Ground floor, 2) S.R.No.244/16/H/s dated 09.11.2016 relating to 3) SR NO 240/16/H/s dated 09.11.2016 relating to second floor of the 3rd respondent's building which is situated at Door No.10, G.R.T. Illam, Amulnagar, Selvarpuram, Coimbatore 641 026.

For Petitioner : Mr.P.Saravanan

For Respondents : Mr.R.Shivakumar
for respondents 1 & 2

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

This writ petition has been filed by the petitioner seeking a writ of mandamus directing respondents 1 and 2 to initiate suitable action against the third respondent for the unauthorized construction put up by her.

2.Mr.R.Shivakumar, learned Standing Counsel, accepts notice for respondents 1 and 2.

3. The third respondent is private respondent, who is alleged to have made unauthorized construction abutting the premises of the petitioner.

4. The office of the second respondent shall cause an inspection of the site in question i.e., Door No.10, G.R.T. Illam, Amulnagar, Selvapuram, Coimbatore, to be made within a fortnight from the date of receipt of copy of this order and if any unauthorized construction, as alleged, is found, respondent Nos.1 and 2 shall take action in accordance with law, after giving notice to all concerned, particularly the third respondent before us, and conclude the proceedings within a period of two months thereafter.

5. The writ petition, accordingly, stands disposed of. No costs. Consequently, W.M.P.No.12000 of 2017 stands closed.

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

To:

1. The Commissioner,
Coimbatore Corporation,
Coimbatore 641 018.
2. The Assistant Commissioner,
South Zone, Coimbatore Corporation,
Coimbatore 641 018.

+1 CC to Mr.P. Saravanan, Advocate sr 36369

+1 CC to Govt. Pleader sr 26393

W.P.No.11052 of 2017

RSY(CO)
sp/16/5