

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.11054 of 2017
and W.M.P.No.12002 of 2017

Eva Chestin

.. Petitioner

Vs.

1. The Member Secretary,
Chennai Metropolitan Development
Authority, Thalamuthu Natarajan
Building, No.1, Gandhi Irwin Road,
Egmore, Chennai 600 008.
2. The Commissioner,
Sembakkam Municipality,
Sembakkam, Chennai 600 073.
3. A.Sivanesan
4. Usha Jaganathen
5. Sagarika Srivatsan
6. Sanjana Raghupathy

.. Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 2nd respondent to take action in light of the order passed by the 1st respondent in his proceedings Letter No.EC/S-II/13795/2016 dated 13.10.2016 within a reasonable time frame as fixed by this Court.

For Petitioner : Mr.K.S.Karthik Raja

For Respondents : Mr.C.Johnson for R-1
Mr.P.Srinivas for R-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 the second respondents to take action against private respondent nos.3 to 6 for the alleged unauthorized construction put up on the pathway.

2. Mr.C.Johnson and Mr.P.Srinivas, learned Standing Counsel, accepts notice for respondents 1 and 2 respectively.

3. Respondent Nos.3 to 6 are private respondents, who are alleged to have encroached upon by putting up constructions on 12 feet wide common passage.

4. The office of the second respondent shall cause an inspection of the site in question i.e., S.Nos.23/2B3 and 23/2C2 in Ponni Ammal Kovil Street, Rajakelpakkam Village, Tambaram Taluk, Kancheepuram District, to be made within a fortnight from the date of receipt of copy of this order and if any encroachment is found, respondent Nos.1 and 2 shall take action in accordance with law, after giving notice to all concerned, particularly respondent nos.3 to 6 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.12002 of 2017 stands closed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

सत्यमेव जयते

Sub Assistant Registrar

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To:

1. The Member Secretary,
Chennai Metropolitan Development
Authority, Thalamuthu Natarajan
Building, No.1, Gandhi Irwin Road,
Egmore, Chennai 600 008.

2. The Commissioner,
Sembakkam Municipality,
Sembakkam, Chennai 600 073.

+1 CC to Mr.K.S. Karthik Raja, Advocate sr 26225
+1 Cc to Mr.C. Johnson, Advocate sr 36410

W.P.No.11054 of 2017

BR(CO)
sp/12/5



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