

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.05.2017

CORAM

THE HONOURABLE MR. JUSTICE N.KIRUBAKARAN

W.P.No.11503 of 2017

Mrs.J.Kalyani
W/o.K.Jayabalan

... Petitioner

-vs.-

1.The Commissioner
Corporation of Chennai
Rippon Building
Chennai - 600 003.

2.The Assistant Executive Engineer
Corporation of Chennai
Ward 135, Zone No.10
Kodambakkam
Chennai - 600 024.

3.Prema Subramaniam
Old No.33, New No.16,
Lakshmi Narayanan Street
West Mambalam
Chennai - 600 033.

.. Respondents

Prayer:

Writ petition filed under Article 226 of the Constitution of India, praying this Court for issuance of Writ of Mandamus directing the respondent to consider her representation dated 06.04.2017.

For Petitioner : Mr.K.Bommuraj

For Respondents: Mr.P.V.Selvakumar,
Addl. Govt. Pleader

O R D E R

The petitioner has come up with the present writ petition seeking for issuance of Writ of Mandamus directing the respondent to consider her representation dated 06.04.2017.

2.The petitioner is the owner of the property situated in Flat No.F5, No.34/3, Lakshmi Narayanan Street, West Mambalam, Chennai - 600 033. The third respondent who is the owner of the adjacent property bearing Door No.33, New No.16, Lakshmi Narayanan Street, West Mambalam, Chennai - 600 033 had demolished the old structure and putting up a new construction in the said place, without leaving any set back and therefore, the petitioner was compelled to file a suit in O.S.No.2132 of 2017 on the file of the XII Assistant Judge, City Civil Court, Chennai seeking mandatory injunction and compensation and the said suit is pending. In the meanwhile, the petitioner has given a representation to the respondents 1 and 2 complaining about the alleged illegal construction and take action against the third respondent as the new construction affects the petitioner's easementary right.

3.Heard the learned counsel appearing for the petitioner and Mr.P.V.Selvakumar, learned Additional Government Pleader who takes notice on behalf of the respondents 1 and 2.

4.Taking into consideration of the facts and circumstances of the case, this Court directs the respondents 1 and 2 to consider the petitioner's representation dated 06.04.2017 and pass orders on merits and in accordance with law, within a period of two weeks from the date of receipt of a copy of this order.

5.The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS III)/V.O

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सत्यमेव जयते

Sub Assistant Registrar

To

1.The Commissioner
Corporation of Chennai
Rippon Building
Chennai - 600 003.

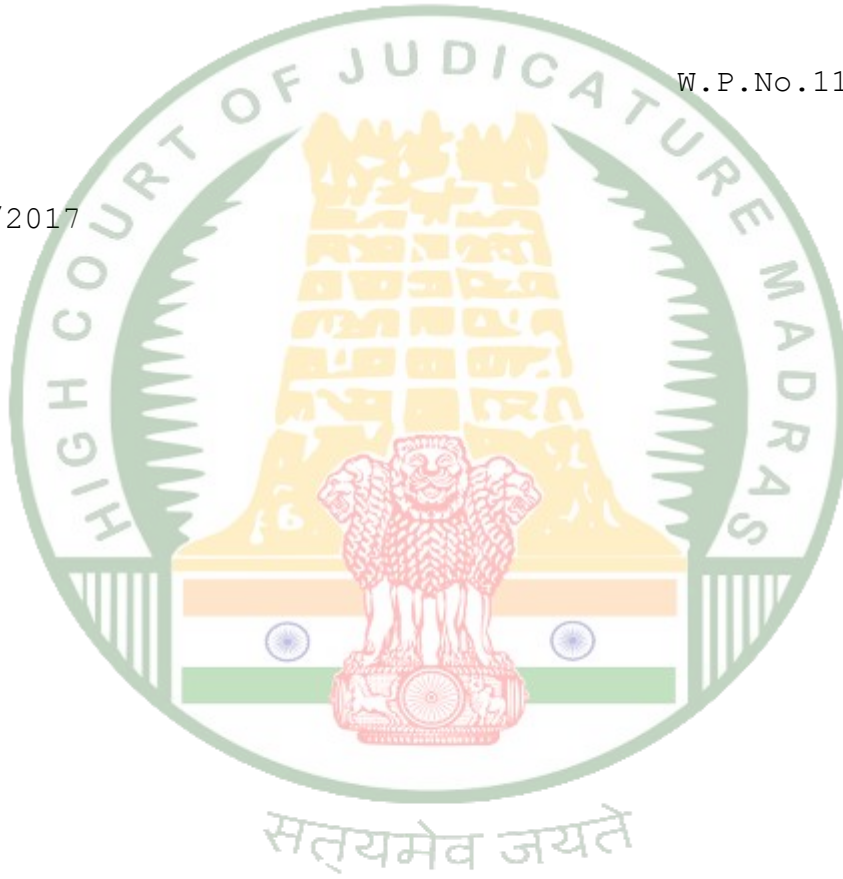
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2.The Assistant Executive Engineer,
Corporation of Chennai,
Ward 135, Zone No.10
Kodambakkam
Chennai - 600 024.

+1cc to Mr.K.Bommuraj, Advocate Sr.36747
+1cc to Mr.P.V.Selvakumar, Advocate Sr.36768

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srg 11/05/2017



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