



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:18.09.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.17555 of 2017
and
W.M.P. (MD) .No.14089 of 2017

M/s.Gajapria Hotels Private Limited,
Represented by its Managing Director,
Ganesan, S/o.Marappa Gounder,
5&6, Royal Road, Contonement,
Trichy 620 001.

.. Petitioner

Vs.

1.The Commissioner,
Tiruchirappalli City Corporation,
Tiruchirappalli 620 001.

2.R.K.Ramathan

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first respondent to ensure that the demolition operation of the building in T.S.Nos.23/2 and 24/2, New Ward "K", New Block 17, Door Nos.2&3, Royal Road, Trichy has been carried out in a safe manner employing scientific method and in strict adherence to the conditions imposed in order dated 16.06.2017 in Na.Ka.No.F1/3895/2017/கோ.அ.பி. and also prohibiting employment of compressors in the process of demolition.

For petitioner : Mr.R.Sundar Srinivasan
For respondent No.1 : Mr.N.S.Karthikeyan
Standing Counsel

O R D E R

[Order of the Court was made by K.K.SASIDHARAN, J.]

The petitioner filed this Writ Petition to direct the first respondent to ensure that the demolition operation carried on by the second respondent is in accordance with the condition imposed in the order dated 16.07.2017.



2. We have heard the learned counsel appearing for the petitioner. We have also heard the learned Standing Counsel appearing for the Tiruchirappalli City Corporation.

3. In view of the limited scope of the Writ Petition and the order to be passed, notice to the second respondent is dispensed with.

4. The Tiruchirappalli City Municipal Corporation permitted the second respondent to demolish the building subject to certain conditions. It is the grievance of the petitioner that by violating the condition, the second respondent is in the process of demolishing the building constructed in S.Nos.23/2 and 24/2, New Ward "K", New Block 17, Door Nos.2&3, Royal Road, Trichy.

5. We direct the first respondent to consider and dispose of the representation submitted by the petitioner dated 11.07.2017 on merits and in accordance with, after issuing notice to the second respondent. Such exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order.

6. The Writ Petition is disposed of, with the above direction. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar.

To:
The Commissioner,
Tiruchirappalli City Corporation,
Tiruchirappalli 620 001.

+1CC to Mr.R.Sundar Srinivasan, Advocate, SR.No.79447
+1CC to Mr.N.S.Karthikeyan, Advocate, SR.No. 79961

ORDER MADE IN
W.P. (MD) No.17555 of 2017
18.09.2017

NB
AM/KP/SAR 3/25.09.2017/2P/4C