

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 03.01.2018
CORAM:
THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM
W.P.No.32410 of 2017 &
W.M.P.No.35697 of 2017

Raja Garden Residence Owners
Welfare Association,

Reg.No.107/2014,

Rep. by its Treasurer, Mr.K.Chandrasekaran,

S/o. R.N.Kuppusamy, Sangamithra Flats,

No.2A, Raja Thottram, Paper Mills Road,

Peravallur, Chennai - 600 082.

.. Petitioner

Vs.

1.The Commissioner,

Greater Chennai Corporation,

Rippon Buildings, Chennai-600 003.

2.The Member Secretary,

Tamil Nadu Pollution Control Board,

Guindy, Chennai - 600 032.

3.Golden Kitchen,

Rep. by Loganathan,

No.1, Raja Garden,

Paper Mills Road,

Peravallur, Chennai - 82.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the respondents to consider the representation of the Petitioner-Association dated 28.04.2017 and thereby direct the first respondent to take action against the third respondent based upon the representation of the petitioner.

For Petitioner : Mr.P.Chandrasekar

For Respondents : Mr.T.C.Gopalakrishnan

Standing Counsel for R-1

M/s.Rita Chandrasekar for R-2

No appearance for R-3

O R D E R

Heard Mr.P.Chandrasekar, learned counsel appearing for the petitioner; Mr.T.C.Gopalakrishnan, learned counsel appearing for the first respondent and M/s.Rita Chandrasekar, learned counsel appearing for the second respondent and despite service, the third respondent has not chosen to appear and contest the petition.

2. The petitioner has come forward with the present Writ Petition for issuance of a Writ of Mandamus directing respondents to consider the representation of the Petitioner-Association dated 28.04.2017 and thereby direct the first respondent to take action against the third respondent based upon the representation of the petitioner within a time frame.

3. The grievance of the petitioner is that the third respondent without getting license from the competent authorities has been running eating house near the residential flat of the petitioner-Association.

4. The learned counsel for the first respondent would submit that the third respondent has obtained permission from the first respondent before starting the eating house and if there is any objection from the petitioner-Association, that would be considered by the first respondent in accordance with law.

5. Considering the nature of the prayer sought for in the Writ Petition and the submission of the learned counsel for the first respondent, this Court without going into the merits, directs the first respondent to take appropriate action on the representation of the petitioner-Association dated 28.04.2017 in accordance with law after affording an opportunity to all the necessary parties within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above direction, the Writ Petition is disposed of. There is no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(cS IX)

//True Copy//सत्यमेव जयते

Sub Assistant Registrar

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r n s

To

1.The Commissioner,
Greater Chennai Corporation,
Rippon Buildings, Chennai-600 003.

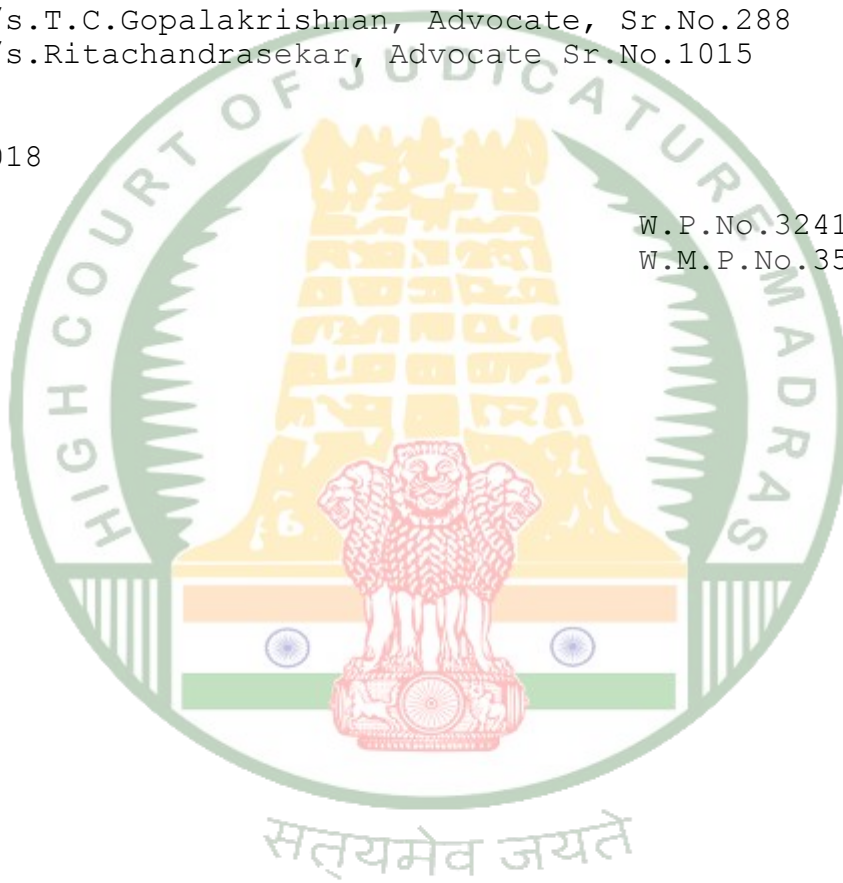
2.The Member Secretary,
Tamil Nadu Pollution Control Board,
Guindy, Chennai - 600 032.

+1cc to M/s.T.C.Gopalakrishnan, Advocate, Sr.No.288

+1cc to M/s.Ritachandrasekar, Advocate Sr.No.1015

KAN(CO)
sm:22.1.2018

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