

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 10.09.2018

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.1967 of 2011
and MP.No.1 of 2011

Mrs.Shantha Srinivasan

..Petitioner

Vs.

1. The Commissioner,
Corporation of Chennai,
Ripon Buildings,
Chennai - 600 003.

2. The Vigilance Officer,
Corporation of Chennai,
Ripon Building,
Chennai - 600 003.

3. Mrs.Renuka Mistry @ Renu Mistry

4. Ravi Raja

..Respondents

Prayer:- The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the respondents 1 and 2 to take action on the petitioner's complaint dated 31.08.2010 and initiate prosecution proceedings against the 3rd and 4th respondents for impersonating late Mrs.Indira Pundarik a dead person and for applying for and obtaining a building and planning permission in the name of late Mrs.Indira Pundarik, a dead person by suppression of vital facts and forging the signature of a dead person and also consider the petitioner's objection for the grant of Hotel/Restaurant licence in premises bearing Old No.7/6, New No.89, Chamiers Road, Alwarpet, Chennai - 600 018.

For Petitioner : Mr.T.Saikrishnan

for M/s.Sai Bharath Ilan

For Respondents : Mrs.Karthika Ashok, for RR1 & 2

M/s.Sudha Ramalingam, for RR3 & 4

ORDER

Heard the learned counsel for the petitioner and the learned counsels for the respondents and perused the materials available on record.

2. The petitioner is the neighbour of the private respondents and he has filed this Writ Petition for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to take action on the petitioner's complaint dated 31.08.2010 and initiate prosecution proceedings against the 3rd and 4th respondents for impersonating late Mrs.Indira Pundarik and obtaining a building and planning permission in the name of late Mrs.Indira Pundarik.

3. The learned counsel for the petitioner submitted that the private respondents by committing impersonation had obtained planning permission and hence they should be prosecuted.

4. The learned counsel for the private respondents submitted that the third respondent is the daughter of the original owner. The planning permission was obtained in the name of the original owner and on the complaint given by the petitioner, the planning permission was cancelled and subsequently, the planning permission has been issued in the name of the third respondent.

5. In the light of the above facts, I do not find any merit in this Writ Petition. Hence, this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

pds / pvs

Sd/-

Deputy Registrar

// True Copy//

Sub Assistant Registrar

To

1. The Commissioner,
Corporation of Chennai,
Ripon Buildings,
Chennai - 600 003.

2. The Vigilance Officer,
Corporation of Chennai,
Ripon Building,
Chennai - 600 003.

+ 1 CC TO M/s.SAI & BHARATH ADVOCATES SR 62785
+ 2 CCS TO M/s.SUDHA RAMALINGAM ADVOCATE SR 62708
+ 1 CC TO M/s.A. KARTHIKA ASHOK ADVOCATE SR 62533

KR/5/10/18

W.P.No.1967 of 2011