

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.02.2018

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

WP.No.34203 of 2017  
& W.M.P.No.38082 of 2017

S.Ragu Bernard

...Petitioner

Vs.

1. The Commissioner,  
Greater Corporation of Chennai,  
Chennai.
2. The Executive Engineer,  
Zone-IV, Greater Corporation of Chennai,  
226, T.H.Road,  
Chennai - 600 021.
3. The Zonal Officer,  
Zone-IV, Greater Corporation of Chennai,  
226, T.H.Road,  
Chennai - 600 021.
4. R.Jasindha

...Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the 2nd and 3rd respondents to consider the petitioner's representation dated 10.07.2017 and take appropriate action so as to implement the order dated 23.06.2017 passed by the 3rd respondent in Z.O.IV.C.No.BB/7469/2017, within a time frame as may be fixed by this Court.

For Petitioner : Mr.W.M.Abdul Majeed  
For Respondents : Mr.T.C.Gopalakrishnan, (for RR1 to 3)  
No Appearance (for R4)

ORDER

This writ petition is filed seeking for a direction to the respondents 2 and 3 to implement the order dated 23.06.2017 passed by the 3rd respondent in Z.O.IV.C.No.BB/7469/2017, based on his representation dated 10.07.2017.

2. According to the petitioner, the property in old No.5/1 and new No.13 in Thiru.Vi.Ka.Street, Erukkancherry, Chennai, having an extent of 1040 sq.ft. was purchased by his father in

the year 1978 and thereafter, he put up a superstructure. The further case of the petitioner is that the building is in a dilapidated condition, so the petitioner has already vacated the premises, to enable the Corporation to demolish the building, as per the order dated 23.06.2017. Since the 4th respondent has not vacated the premises and no action was taken by the respondents, pursuant to the order dated 23.06.2017, the present writ petition has been filed.

3. Heard the learned counsel for the petitioner and the learned standing counsel for the Corporation/ respondents 1 to 3. Despite service of notice and name of the 4th respondent printed in the cause list, none appeared for her.

4. The learned standing counsel for the respondent Corporation / respondents 1 to 3 submitted that the 2nd respondent had already passed an order under Section 258 of the Chennai City Municipal Corporation Act and they will take follow up action as per the law.

5. In the light of the submission of the learned standing counsel for the respondent Corporation / respondents 1 to 3, the writ petition is disposed of directing the respondents 1 to 3 to take appropriate action as per the order dated 23.06.2017 in Z.O.IV.C.No.BB/7469/2017, as expeditiously as possible, preferably within a period of two months from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-  
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

pvs

To

1. The Commissioner,  
Greater Corporation of Chennai,  
Chennai.

2. The Executive Engineer,  
Zone-IV, Greater Corporation of Chennai,  
226, T.H.Road,  
Chennai - 600 021.

3. The Zonal Officer,  
Zone-IV, Greater Corporation of Chennai,  
226, T.H.Road,  
Chennai - 600 021.

+1cc to Mr.T.C.Gopalakrishnan, Advocate SR.No.9286  
+1cc to Mr.W.M.Abdul Majeed, Advocate Sr.No.8786

GJ(CO)  
sm:20.2.2018

WP.No.34203 of 2017



WEB COPY