

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.06.2018

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN
and
THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

WP.No.16108 of 2018
and WMP.No.19144 of 2018

N.Angammal

...Petitioner

Vs.

1.The Commissioner,
Erode Corporation,
Erode.

2.The Assistant Commissioner,
Erode Corporation, Zone-3,
Teachers Colony
Erode.

3.Mr.Annathurai

....Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the 2nd respondent to forthwith take action against the unauthorized construction being made by the 3rd respondent in his property comprised at Ward B, Block No.12, No.38, Gandhi Nagar Colony 1st Street, Erode-9 without leaving any setback spaces, by considering the representation of the petitioner dated 20.02.2018 in a time bound manner.

For Petitioner : Mr.T.Balaji
For Respondents 1 and 2 : Mr.Raja Mathivanan

ORDER

[Order of the Court was made by M.SATHYANARAYANAN, J.,]

By consent, the writ petition is taken up for final disposal.

Mr.M.Rajamathivanan, learned Standing Counsel accepts notice on behalf of the respondents 1 and 2.

2. The petitioner claims to be the owner of the premises bearing Door No.13/15, Gandhi Nagar Colony, 2nd Street, Erode-9. According to him, the 3rd respondent, who is the resident of Door No.38, 1st Street, Gandhi Nagar Colony 2nd Street, Erode-9 started putting up an unauthorised construction on his side and despite the said fact being brought to the knowledge of the respondents 1 and 2, in the form of representations dated 20.02.2018 and 28.02.2018 and 03.05.2018 respectively, no action has been taken and the 3rd respondent is proceeding with the said construction and therefore, he came forward to file this writ petition.

3. Heard the submissions of Mr.M.Rajamathivanan, learned Standing Counsel appearing for the respondents 1 and 2.

4. This Court taking into consideration the above facts and circumstances, and without going into the merits of the claim projected by the petitioner either in his representations or in this writ petition, directs the 2nd respondent to cause inspection of the petitioner's premises as well as the alleged on going construction being put up by the 3rd respondent, within a period of four weeks from the date of receipt of copy of this order and depending upon the result of the inspection, shall take appropriate action in accordance with law, within a further period of six weeks and communicate the decision taken to the petitioner as well as to the 3rd respondent.

5. This writ petition is disposed of with the above directions. No costs. Consequently connected miscellaneous petition is closed.

Sd/-

Deputy Registrar

//True Copy//

Sub Assistant Registrar

To

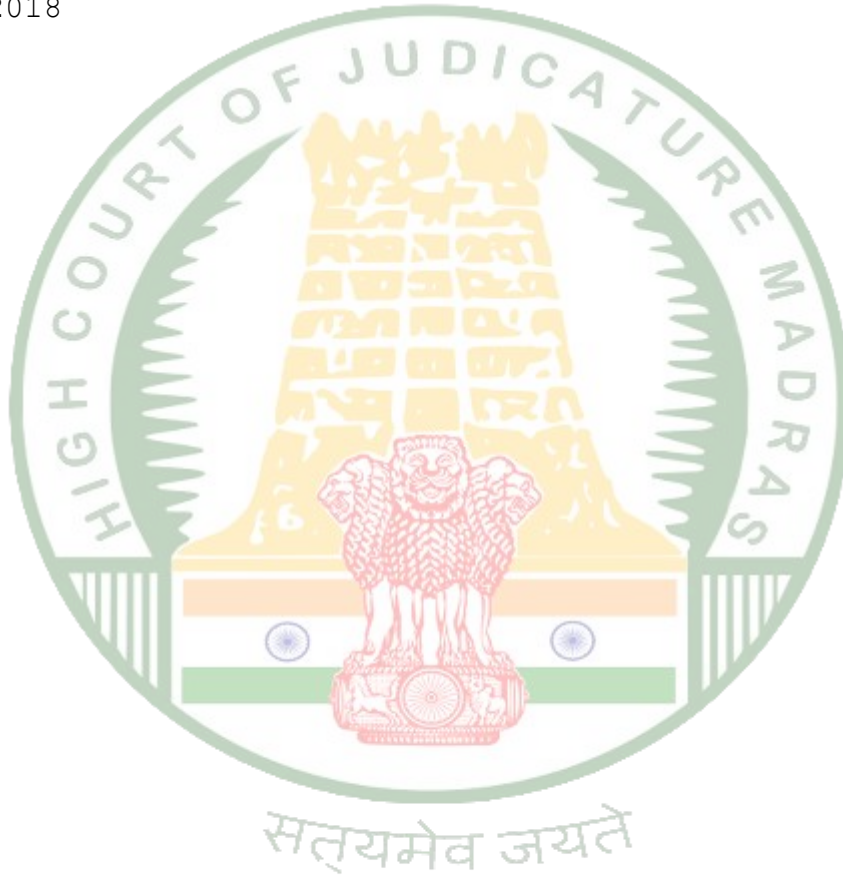
1.The Commissioner,
Erode Corporation,
Erode.

2.The Assistant Commissioner,
Erode Corporation, Zone-3,
Teachers Colony
Erode.

+1cc to Mr.Raja Mathivanan, Advocate sr.no.41714
+1cc to Mr.A.Thiyagarajan, Advocate sr.no.41713

WP.No.16108 of 2018

nr 16/07/2018



WEB COPY