

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 06.07.2018

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.16572 of 2018

M.Rasool Bevi

..Petitioner

Vs

1. The Commissioner,
Corporation of Chennai,
Ripon Building, Chennai - 3.
2. The Regional Deputy Commissioner (North)
Corporation of Chennai,
62, Basin Bridge Road,
Chennai -21.

..Respondents

Prayer:- Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, to direct the respondents to dispose of the representation of the petitioner dated 17.04.2015 given by the petitioner to the respondents.

For Petitioner : Mr.D.Suresh
For Respondents : Mr.V.C.Selvasekaran
Standing Counsel

ORDER

Mr.V.C.Selvasekaran, learned Standing Counsel takes notice for the respondents. By consent, this writ petition is taken up for final hearing at the admission stage itself.

2. The petitioner has come forward with this writ petition seeking for issuance of a writ of Mandamus to direct the respondents to dispose of her representation of the petitioner dated 17.04.2015.

3. The learned counsel for the petitioner would submit that the petitioner is the absolute owner of the property bearing Door No.5, Saiva Muthiya Mudali 2nd lane Muthialpet, Chennai, in Survey Nos.2751 and 2752/1, measuring an extent of 2700 sq.ft. It is further stated that the building is in a dilapidated

condition and the second respondent has already issued a notice under Section 258 Chennai City Municipal Corporation Act. Subsequently, no further action was taken, despite the representation of the petitioner dated 17.04.2015.

4. The learned Standing Counsel for the respondents submitted that the petitioner has to approach the Executive Engineer, Zone-5, Chennai, who is the competent authority, with proper application seeking permission to demolish the building, the same would be considered in accordance with law.

5. In the light of the above submissions made by the learned counsels on either side and also considering the facts of the case, this Court, directs the petitioner to give a fresh representation to the Executive Engineer, Zone-5, Chennai, within a period of two weeks from the date of receipt of a copy of this order. On such compliance, the competent authority shall consider the same and pass orders on merits and in accordance with law as expeditiously as possible.

6. With the above direction, this writ petition is disposed of. No costs.

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

msrm

To

1. The Commissioner,
Corporation of Chennai,
Ripon Building, Chennai - 3.
2. The Regional Deputy Commissioner (North)
Corporation of Chennai,
62, Basin Bridge Road,
Chennai -21.
3. The Executive Engineer
Zone 5
Chennai.

+1 CC to Mr.D. Suresh, Advocate sr 43863.

W.P.No.16572 of 2018

SP(19/07/2018)