

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 04.07.2018

CORAM

THE HONOURABLE MR. JUSTICE M. SATHYANARAYANAN

AND

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

WP.No.16596/2018

C.Raghavan

.. Petitioner

Versus

1 The Assistant Commissioner
Corporation of Chennai
Zone XII, Division 161
Alandur, Chennai 600 016.

2 The Commissioner
Corporation of Chennai
Chennai 600 003.

3 The District Collector
Kancheepuram,
Kancheepuram District.

4 Mrs.Naimunisha

.. Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing 1st to 3rd respondents to remove the illegal superstructure constructed by the 4th respondent upon Government property on the side of the Railway Station Road, Alandur, Chennai 600 016 and putting up construction at No.51/24A, Luzkar Street, Chennai 600 016 in the 1st floor as well as 2nd floor.

For Petitioner : Mr.A.Rajkumar
For RR 1 and 2 : Mr.Anantharangan
For R3 : Mr.R.Udhayakumar, AGP

ORDER

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

By consent, the writ petition is taken up for final disposal. Mr.Aanatharangan, learned counsel accepts notice on behalf of the respondents 1 and 2 and Mr.R.Udhayakumar, learned Additional Government Pleader accepts notice on behalf of the 3rd

respondent.

2 The petitioner claims to be the owner of the premises bearing Door No.41/70, Luskar Street, Alandur, Chennai-600 016, and according to him, the 4th respondent had encroached upon the Government property on the side of the Railway Station Road, Alandur, and putting up a construction on the premises bearing Door No.51/24A of the same Street, without any planning permission / building permit or approval.

3 The learned counsel for the petitioner would submit that in this regard, representation dated 06.06.2018 has been submitted by the petitioner to the respondents 1 and 2 and though it was received and acknowledged on 07.06.2018, not even an inspection has been caused to find out the veracity of the allegation and therefore, the petitioner is constrained to approach this Court by filing the present writ petition.

4 The Court heard the submissions of Mr.Anantharangan, learned standing counsel appearing for the respondents 1 and 2 and Mr.R.Udhayakumar, learned Additional Government Pleader appearing for the 3rd respondent and perused the materials placed before it.

5 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 representation or in this writ petition, directs the 1st respondent to put the petitioner as well as the 4th respondent on notice and cause inspection of both the premises of the petitioner bearing Door No.41/70, Luskar Street, Alandur, Chennai-600 016, as well as the premises of the 4th respondent bearing Door No.51/24A situate in the same street, within a period of four weeks from the date of receipt of a copy of this order and find out as to whether the superstructures are authorised / deviated / unauthorised and depending upon the result of the said inspection, the 1st respondent shall take appropriate action in accordance with law with regard to the offending construction within a further period of eight weeks thereafter and communicate the decision taken, to the petitioner as well as to the 4th respondent herein.

6 The writ petition stands disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

AP

To

1 The Assistant Commissioner
Corporation of Chennai
Zone XII, Division 161
Alandur, Chennai 600 016.

2 The Commissioner
Corporation of Chennai
Chennai 600 003.

3 The District Collector
Kancheepuram,
Kancheepuram District.

+1cc to Mr.A.RAJKUMAR, Advocate, S.R.No.42903

+1cc to the Government Pleader, S.R.No.44023

WP.No.16596/2018

TR(12/07/2018)



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