

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.07.2018

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.24690 of 2013

T.Shanmugavel

.. Petitioner

Versus

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

2.The Assistant Engineer,
Division-110,
Chennai Corporation,
Nungambakkam,
Chennai - 34.

3.M.Ravindran
Proprietor,
Hotel Alankar,
Near Valluvar Kottam Bus Stop,
Vallurvar Kottam, Nungambakkam,
Chennai - 600 034.

... Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the first and second respondent to take action regarding the representations dated 12.4.2013 and 20.5.2013 forthwith.

For Petitioner : Mr.M.Sasikumar

For Respondents : Mr.V.C.Selvasekaran
Standing counsel for R1 & R2
Mr.N.F.J.Ponnudurai for R3

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O R D E R

Heard the learned counsel for the petitioner, the learned Standing counsel for the respondents 1 and 2 and the learned counsel for the third respondent.

2.This writ petition has been filed seeking a direction to the respondents 1 and 2 to take action on the representations of the petitioner dated 12.4.2013 and 20.5.2013 forthwith.

3. According to the petitioner, the third respondent is running a Hotel near Valluvarkottam Bus Stop, which causes public nuisance. Hence, the petitioner sent representations to the first respondent. Since no action was taken, the present writ petition.

4. The learned Standing counsel for the respondents 1 and 2 on instructions from the Inspector of Licence, Zone-9, who is present before this Court submitted that the third respondent is running a Hotel near Valluvarkottam Bus Stop, but, he has not prepared fried rice on the pavement as alleged and if the petitioner give a fresh representation to the Zonal Officer, Zone-9, he is ready to take appropriate action in accordance with law.

5. In the light of the limited scope of prayer sought for in this writ petition and the submission made by the learned Standing counsel for the respondents 1 and 2, this Court, directs the petitioner to give a fresh representation to the Zonal Officer, Zone-9, Chennai, by enclosing a copy of this order within a period of two weeks. On such compliance, the competent authority shall consider the same and take appropriate action on merits and in accordance with law, after providing an opportunity of hearing to all the necessary parties, as expeditiously as possible preferably within a period of three months therefrom.

6. With the above direction, this writ petition is disposed of. However, there shall be no order as to costs.

s/d-
Assistant Registrar (CS VI)

True Copy

Sub-Assistant Registrar

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To

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

2. The Assistant Engineer,
Division-110,
Chennai Corporation,
Nungambakkam,
Chennai - 34.

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SP(20/07/2018)