

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.11.2018

CORAM

THE HONOURABLE DR.JUSTICE VINEET KOTHARI
AND
THE HONOURABLE Dr.JUSTICE ANITA SUMANTH

W.P.No.15889 of 2017

Traffic Dr.K.R.Ramaswamy

... Petitioner

Versus

State Rep. by

1. The Chief Secretary
Government of Tamilnadu
Secretariat Chennai-600 009
- 2 The Home Secretary
Secretariat Chennai 600 009 &
The Commissioner Vigilance
Government of Tamilnadu
- 3 The Secretary
Government of Tamilnadu
Housing and Development Department
Secretariat Chennai-600 009
- 4 The District Collector
Chennai District Rajaji Salai
Chennai-600 001
- 5 The Director
Fire & Rescue Service
No.17 Rukmani Lakshmipathy Road
Egmore Chennai -600 008
- 6 The Commissioner of Police
Greater Chennai Vepery
Chennai-600 007
- 7 The Commissioner
Corporation of Chennai
EVR Salai Chennai-600 003

8 The Member Secretary
Chennai Metropolitan Development Authority
Gandhi Irwin Road Egmore
Chennai-600 008

9 The Additional Commissioner of Police
Greater Chennai City Traffic
Vepery,
Chennai-600 007

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents to take proper action as per the representation to the letter and spirit dated 5.5.2017 and 10.5.2017 to take necessary action against the violation buildings, particularly Sree Kumaran Jewellery and Chennai Silk Building throughout Tamilnadu and all other buildings in T.Nagar area at Chennai and to save the public life and real democracy in Tamilnadu which openly ignored by the officials making the public to risk their day today life, letter and spirit.

For petitioner : Mr.S.Ganesan

For R1 to R6 & R9 : Mr.Jayaprakash Narayanan,
Government Pleader

For R7 : Mr.K.R.Soundararajan (Co-op).

For R8 : Mr.Karthik Rajan

ORDER

(Order of the court was made by Dr.VINEET KOTHARI, J.)

Petitioner, named as Dr.K.R.Ramaswamy, claiming to be a social activist, Chennai, has filed this Public Interest Litigation Writ Petition in this court on 19th June 2017, inter alia, claiming that the buildings constructed by M/s.Sree Kumaran Jewellery and Chennai Silk throughout the State of Tamil Nadu and T.Nagar area at Chennai are in violation of the relevant rules and bye laws and therefore, causing threat to public life and hence, the present writ petition has been filed by him.

2. Having heard the learned counsel for the petitioner in the presence of the petitioner, we are satisfied that the petitioner does not seem to have a locus standi in the present case and without specific details of violations of rules and buildings, etc., he has filed the writ petition with broad and sweeping allegations. Such matters cannot be taken in PIL jurisdiction by the court against the respondent-State and the Municipal Corporation of Chennai.

3. If the private rights of the petitioner are affected, he has the liberty to file a civil suit, duly instituted in a competent civil court. Moreover, the owners and builders of the alleged unauthorised constructions are not arrayed as Respondents in the writ petition.

4. We are, therefore, not inclined to entertain the present writ petition by exercising the extraordinary jurisdiction under Article 226 of the Constitution in the present Public Interest Litigation petition.

5. The writ petition is, accordingly, dismissed. No order as to costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ssk.

To:

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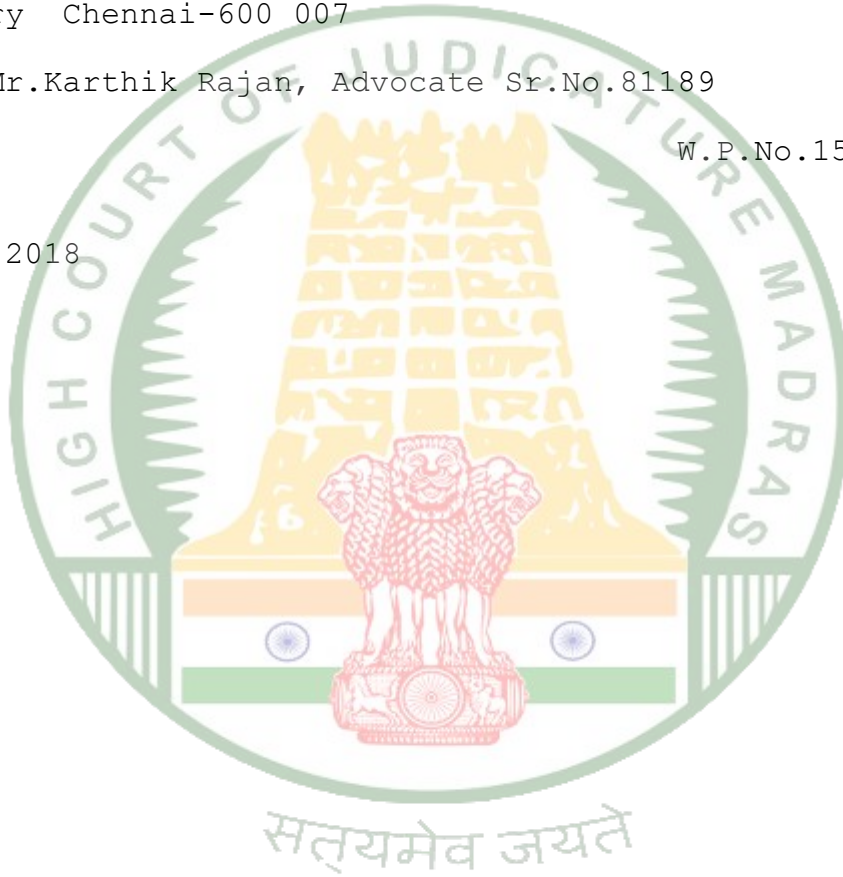
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+1 cc to Mr.Karthik Rajan, Advocate Sr.No.81189

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RK(CO)
CSL/18.12.2018



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