

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:03.01.2019

CORAM

THE HON'BLE DR.JUSTICE VINEET KOTHARI
AND
THE HON'BLE DR.JUSTICE ANITA SUMANTH

Writ Petition No.14206 of 2018

G.Nambiar

.... Petitioner

Vs.

1. The Chief Secretary to Government
Government of Tamilnadu,
Fort St. George, Rajaji Salai,
Chennai - 600 009.
2. The District Collector,
Kancheepuram District,
Kancheepuram.
3. The Commissioner,
HR & CE Department,
Uthamar Gandhi Salai,
Nungambakkam, Chennai.
4. The Commissioner,
Corporation of Chennai,
Ripon Building, Chennai.
5. The Tahsildar,
Sholinganallur Taluk,
Kancheepuram District.
6. N.Sumitha

.... Respondents

PETITION filed under Article 226 of The Constitution of India praying for the issuance of writ of mandamus directing the 2nd respondent to consider the petitioner's representation dated 19.04.2018.

For Petitioner	:	Mr.J.Sudhakaran
For Respondents	:	Mr.Suresh, G.A. - R1, R2 & R5 Mr.Maharajan, Spl. G.P. - R3 Mr.V.C.Selvasekaran, Standing Counsel for R4 Mr.V.Ramana Reddy - R6

O R D E R
(Order of the Court was made by DR.VINEET KOTHARI,J)

The petitioner G.Nambiar has raised grievance about the alleged illegal construction raised by respondent No.6 N.Sumitha on the land allegedly belonging to the Temple of which the petitioner is a devotee.

2. Upon issuance of notice, the respondent - Corporation has filed its affidavit in this Court stating therein that respondent No.6 has raised construction illegally and in a deviated form, other than the sanctioned plan, even encroaching the private land. They have initiated action for such illegal construction raised by respondent No.6.

3. However, the grievance made by the present petitioner in the present PIL petition is only that the representation/complaint dated 19.04.2018 has not yet been decided by respondent No.2, The District Collector, Kancheepuram.

4. Having heard the learned counsel on both sides and upon a perusal of the materials placed before us, we are of the opinion that the present PIL petition can be disposed of with a direction to respondent No.2, the District Collector, Kancheepuram to decide the representation/complaint of the petitioner after hearing the concerned parties. The parties without any further notice may appear before the respondent - The District Collector, Kancheepuram in the first instance on 29.01.2019 and appropriate orders on such complaint should be passed by the District Collector within a period of four (4) weeks thereafter.

5. It is made clear that in view of the nature of dispute involved in the present case, if the petitioner still feels aggrieved by the order passed by the District Collector, he can avail the remedy of Civil Suit before the competent Civil Court.

6. With these observations, the Writ Petition is disposed of. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1. The Chief Secretary to Government
Government of Tamilnadu,
Fort St. George, Rajaji Salai,
Chennai - 600 009.
2. The District Collector,
Kancheepuram District,
Kancheepuram.
3. The Commissioner,
HR & CE Department,
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4. The Commissioner,
Corporation of Chennai,
Ripon Building, Chennai.
5. The Tahsildar,
Sholinganallur Taluk,
Kancheepuram District.

+1 CC to Mr.J.Sudhakaran, Advocate sr 443.
+1 CC to Mr.V.Ramana Reddy, Advocate sr 333.
+1 CC to Govt. Pleader sr 1414, 962.

Writ Petition No.14206 of 2018

AD(CO)
SP(04/02/2019)

सत्यमेव जयते

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