

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.05.2019

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR
And
THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.No.14586 of 2019

and

W.M.P.No.14566 of 2019

V.M.Abu Thahir

... Petitioner

Vs.

1.The Member Secretary
Chennai Metropolitan Development Authority,
Gandhi Ervin Road,
Egmore,
Chennai-600 008.

2.The Commissioner
Greater Chennai Corporation of Chennai,
Rippon Building,
Chennai-600 003.

3.The Executive Engineer
Greater Chennai Corporation of Chennai,
Zone-I,
No.945, T.H.Road,
Thiruvottiyur,
Chennai-600 019.

4.The Assistant Engineer
Greater Chennai Corporation of Chennai,
Zone-I,
No.945, T.H.Road,
Thiruvottiyur,
Chennai-600 019.

5.The Assistant Engineer
TANGEDCO, (Tamil Nadu Electricity Board),
Thiruvottiyur Distribution Circle,
(Opp. to Ajaks Bus Stand),
Thiruvottiyur,
Chennai-600 019.

Prayer:

Writ petition filed under Article 226 of the Constitution of India seeking Writ of Mandamus directing the respondents 1 to 4 to take appropriate action to prevent the illegal and unauthorized construction of the 6th respondent in Plot No.1, Kamadevan Nagar bearing S.No.34/2A, 34/1A and 34/1B1, Thiruvottiyur Village, Thiruvottiyur, Chennai-600 019 by considering the petitioner's representations dated 22.04.2019 and 10.05.2019 forthwith.

For Petitioner : Mr.A.Ilaya Perumal
For R1 : Mr.P.S.Ganesan
For R2-R4 : Mr.V.C.Selvasekaran
For R5 : Mr.S.K.Rameshwar

O R D E R

(Order of the Court was delivered by N.SATHISH KUMAR,J.)

The petitioner has filed the above writ petition praying for issuance of a Writ of Mandamus, directing the respondents 1 to 4 to take appropriate action to prevent the illegal and unauthorized construction of the 6th respondent in Plot No.1, Kamadevan Nagar bearing S.No.34/2A, 34/1A and 34/1B1, Thiruvottiyur Village, Thiruvottiyur, Chennai-600 019.

2. Heard learned counsel for the petitioner and learned counsel for the respondents.

3. According to the petitioner, the 6th respondent is owning a property in Plot No.1, Kamadevan Nagar bearing S.No.34/2A, 34/1A and 34/1B1, Thiruvottiyur Village, Thiruvottiyur, Chennai-600 019 and that there is a common pathway measuring 4 feet used by the petitioner and the 6th respondent for more than four decades. It is his further contention that the 6th respondent has demolished the old structure and started new construction in the said premises without obtaining appropriate permission from the Authorities. The petitioner has made representations dated 22.04.2019 and 10.05.2019 to the respondents in this regard.

4.The allegation of the Writ petitioner is that his representations dated 22.04.2019 and 10.05.2019 submitted to the

respondents to look into the alleged illegal construction put up by the 6th respondent, were not yet disposed of. Hence he has come forward with this writ petition.

5.Since the prayer is a limited one, the 3rd respondent is directed to dispose of the representations of the Writ petitioner dated 22.04.2019 and 10.05.2019 as expeditiously as possible.

6.The writ petition is accordingly disposed of. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Member Secretary
Chennai Metropolitan Development Authority,
Gandhi Ervin Road,
Egmore,
Chennai-600 008.

2.The Commissioner
Greater Chennai Corporation of Chennai,
Rippon Building,
Chennai-600 003.

3.The Executive Engineer
Greater Chennai Corporation of Chennai,
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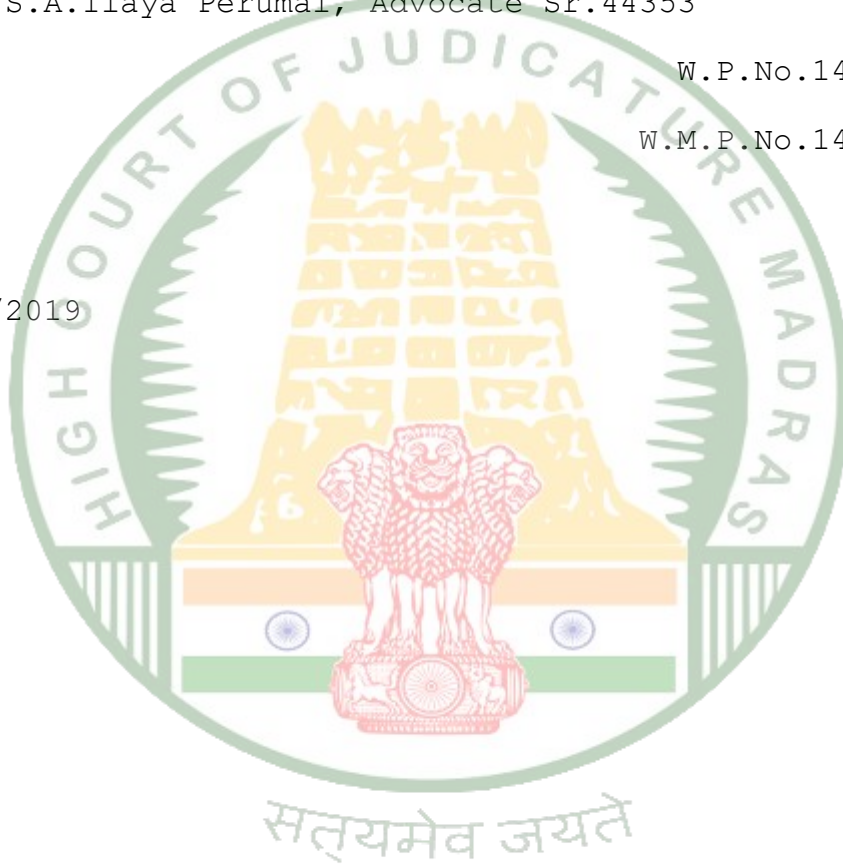
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+1cc to M/S.A.Ilaya Perumal, Advocate Sr.44353

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srg 02/07/2019



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