

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 27.06.2019

Coram:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Writ Petition No.18272 of 2019
and
W.M.P.No.17634 of 2019

Dr.R.Ramkumar

.. Petitioner

/versus/

1.The Electrical Inspector,
Chennai (North) Division,
CEIG Office Complex,
Thiru-Vi-Ka Industrial Estate,
Guindy,
Chennai 600 032.

2.Dhanapatraji Sanklecha

3.Rajendra Kumar Sanklecha

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue to a Writ of Mandamus directing the 1st respondent to seal the unpermitted lift used by 2nd and 3rd respondent and pass orders.

For Petitioner : Mr.M.Madhu Prakash

O R D E R

The petitioner herein has filed this writ petition seeking direction from this Court to the first respondent to seal the unpermitted lift used by respondents 2 and 3 in their premises in Door No.58, Samipandaram Street, Chindadripet, Chennai-2.

2. When this Court poses a question to the learned counsel appearing for the petitioner, what is the locus sandi to the petitioner to seal the lift, which is operated in the premises of respondents 2 and 3, the learned counsel appearing for the petitioner would fairly submit that the petitioner is the neighbouring house owner occupying Door No.60, Sami Pandaram Street, Chintadripet, Chennai. He has already approached this Court for the unauthorised construction put up by respondents 2

and 3 herein and the matter has been seized of by the Division Bench of this Court. He is also aggrieved by the compound wall raised by respondents 2 and 3, who are opposing his right for which he has approached the Civil Court.

3. Now, having come to the lift operation in the premises of respondents 2 and 3 without licence, as per the Tamil nadu Lift Act and Rule, 1997, he has sought for action against respondents 2 and 3 through the first respondent, in the capacity as neighbour of respondents 2 and 3. As far as the operation of the lift in the premises, he can have no say and it is for the authorities to look into it and consider whether the lift is operated with proper certificate or not, because the petitioner and respondents 2 and 3 may have some other dispute, the petition of this nature cannot be entertained under Article 226 of the Constitution of India. Hence, the Writ Petition is liable to be dismissed. Accordingly, this Writ Petition is dismissed. No costs. Consequently, connected M.P.No.17634 of 2019 is closed.

-s/d-

Assistant Registrar (CS-I)

True Copy

Sub-Assistant Registrar

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To

1.The Electrical Inspector,
Chennai (North) Division,
CEIG Office Complex,
Thiru-Vi-Ka Industrial Estate,
Guindy,
Chennai 600 032.

+1 CC to Govt. Pleader sr 54477.

W.P.No.18272 of 2019

&

W.M.P.No.17634 of 2019

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GP (CO)
SP (24/07/2019)