

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.09.2019

CORAM

THE HON'BLE MRS.VIJAYA K.TAHILRAMANI, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE M.DURAIWAMY

W.P.No.1714 of 2018

S.Ajaz

.. Petitioner

Vs

1 The Member Secretary
Chennai Metropolitan Development Authority
Thalamuthu Natarajan Building
No.1, Gandhi Irwin Road
Egmore, Chennai - 600 008.

2 The Executive Officer
Mangadu Town Panchayat
Mangadu
Chennai - 600 122.

3 Z.Jamaluthin

4 The Tamil Nadu Wakf Board
Rep by The Chief Executive Officer
No.1, Jaffar Syrang Street
Vallal Seethakathi Nagar
Chennai - 600 001.

.. Respondents

(R4 impleaded vide order dated 8..4.2019
made in W.M.P.No.37941 of 2018 in WP.No.1714 of 2018)

PRAYER:

Petition under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing respondents 1 and 2 to take action against unauthorised construction in Survey No.123/2 of Mangadu Village, Chennai - 600 122, by considering the petitioner's representations dated 03.09.2015, 02.12.2015, 14.11.2016 and 30.12.2017 within a time frame fixed by this Court.

For Petitioner : Mr.K.Sasindran

For Respondents : Mr.S.Thiruvengadam
for 1st respondent

Mr.V.Jayaprakash Narayanan
Government Pleader (i/c.)
for 2nd respondent

Mr.T.Velumani
for 3rd respondent

Mrs.V.Sripriya
for Mr.V.Lakshminarayanan
for 4th respondent

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

Heard Mr.K.Sasindran, learned counsel for the petitioner; Mr.S.Thiruvengadam, learned counsel for the first respondent; Mr.V.Jayaprakash Narayanan, learned Government Pleader (i/c.) for the second respondent; Mr.T.Velumani, learned counsel for the third respondent and Mrs.V.Sripriya, learned counsel for the fourth respondent.

2. The case of the petitioner is that he has preferred representations dated 03.09.2015, 02.12.2015, 14.11.2016 and 30.12.2017 in relation to the unauthorized construction of commercial complex at S.No.123/2 of Mangadu Village, Chennai. The first representation dated 3.9.2015 was addressed to the first respondent, i.e., the Chennai Metropolitan Development Authority. The first respondent gave a reply to the petitioner stating that the competent authority is the second respondent, i.e., the Executive Officer, Mangadu Town Panchayat, Mangadu, Chennai - 600 122. Thereafter, representations dated 02.12.2015, 14.11.2016 and 30.12.2017 were addressed by the petitioner to the second respondent. The grievance of the petitioner is that the said representations have not been considered. Hence, the petitioner has prayed that the second respondent be directed to decide the said representations within a time frame fixed by the Court.

3. The learned Government Pleader (i/c.), who represents the second respondent, stated that the above said representations will be disposed of by the second respondent within a period of twelve weeks, after giving notice to all concerned. The said statement is recorded.

In view of the statement made by the learned Government Pleader (i/c.), no further orders are necessary. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

sasi

To:

- 1 The Member Secretary
Chennai Metropolitan Development Authority
Thalamuthu Natarajan Building
No.1, Gandhi Irwin Road
Egmore, Chennai - 600 008.
- 2 The Executive Officer
Mangadu Town Panchayat
Mangadu
Chennai - 600 122.
- 3 The Chief Executive Officer
Tamil Nadu Wakf Board
No.1, Jaffar Syrang Street
Vallal Seethakathi Nagar
Chennai - 600 001.

+1cc to Mr.K.Sasindran, Advocate, S.R.No.75896
+1cc to Mr.T.Velumani, Advocate, S.R.No.76061
+1cc to Mr.S.Thiruvengadam, Advocate, S.R.No.76311

W.P.No.1714 of 2018

NMI (CO)
CS/03/10/2019