



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2020

CORAM :

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN
AND
THE HONOURABLE MRS.JUSTICE R.HEMALATHA
W.P.No.5049 of 2020

P. Suresh Kumar

... Petitioner

Vs

1. The Commissioner,
Corporation of Chennai,
Rippon Building,
Ponamalle High Road,
Chennai.

2. The Assistant Engineer,
Corporation of Chennai,
Division - 53,
Chennai.

3. P. Stalin

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the 1st and 2nd Respondents to consider the petitioner's my Representation dated 10.02.2020 and take appropriate action on the same and remove the illegal construction put up by the 3rd Respondent in the Door No. 87, Canal Street, 2nd Floor, Cochrane Basin Road, Old Washermanpet, Chennai - 21.

For Petitioner : Mr. Adinarayana Rao

For Respondents: Mr. K. Raja Srinivas
(for R1 and R2)



O R D E R
(Order of the court was made by N.KIRUBAKARAN.J.,)

It is stated by the learned Counsel for the Petitioner that the Petitioner as well as the Third Respondent are brothers residing in the same premises and the Third Respondent is putting up upper floor, which is a 45 year old building. That apart, he pointed out that stop work notice has been issued by the Second Respondent on 07.02.2020 and in spite of that the third Respondent is proceeding with the construction. Hence, the petitioner has given a representation to the second respondent on 10.02.2020 and Since the said representation has not been disposed of, the Petitioner has come before this Court.

2. Heard the learned Counsel for the Petitioner and Mr. K. Raja Srinivas, learned Standing Counsel appearing for the First and Second Respondents. Notice to the Third Respondent at this stage is not necessary as the Petitioner seeks only to consider the representation given on 10.02.2020 and to take appropriate action and remove the illegal construction put up by the Third Respondent.

3. Taking into consideration of the facts and circumstances of the case including the stop work notice issued by the Second Respondent, the second respondent is directed to consider the representation dated 10.02.2020 after issuing notice to the third respondent as well as to the petitioner and dispose of the same within a period of eight weeks from the date of receipt of a copy of this order after affording sufficient opportunities to both the parties.

4. With the above directions, this Writ Petition is disposed of. No costs.

s/d-
Assistant Registrar (CS-III)

True Copy
Sub-Assistant Registrar

ay
To

1. The Commissioner,
Corporation of Chennai,
Rippon Building,
Ponamalle High Road,
Chennai.



2. The Assistant Engineer,
Corporation of Chennai,
Division - 53,
Chennai.

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+1 cc to Mr.K.Raja shrinivas Advocate sr19387

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