

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :10.12.2020

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.17856 of 2020

D.Thiyagarajan,
S/o.Duraisami Mudaliar,
Old No.26, New No.20,
Rathinam Street,
Royapettah, Chennai 600 014.

... Petitioner

Vs.

1.The Principal Secretary/Member-Secretary,
Chennai Metropolitan Development Authoirty,
Represented by its Chairman,
No.1, Gandhi Irwin Road,
Egmore, Chennai 600 008.

2.The Chief Executive Officer,
Chennai Metropolitan Development Authoirty,
Represented by its Chairman,
No.1, Gandhi Irwin Road,
Egmore, Chennai 600 008

3.The Commissioner,
Corporation of Greater Chennai,
Rippon Buildings,
Chennai 600 003.

4.V.Sivasankar,
S/o.A.Vinayagamoorthy
Old Door No.14, New No.31,
SPS III Street,
Royapettah, Chennai 600 014.

... Respondent

Prayer: This Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first to third respondent to dispose the petitioner representation dated 28.09.2020 in accordance with law.

For Petitioner : Mr.M.Jaikumar

For Respondents: Mrs.Veena Suresh (for R1 & R2)
Standing Counsel

Mrs.P.T.Ramadevi (for R3)
Standing Counsel

ORDER

This Writ Petition has been filed for the issue of Writ of Mandamus, directing the respondents to dispose of the representation made by the petitioner on 28.09.2020 and to take a decision in accordance with law, within the time stipulated by this Court.

2.The case of the petitioner is that the 4th respondent is attempting to put up a construction by including the common passage and hence a representation was made to respondents 1 to 3 on 28.09.2020 to take action in accordance with law. Since the same was not considered, the present petition has been filed before this Court.

3.Heard Mr.M.Jaikumar, learned counsel for the petitioner; Mrs.Veena Suresh, learned Standing Counsel appearing for R1 & R2 and Mrs.P.T.Ramadevi, learned Standing Counsel appearing for R3.

4.Taking into consideration the facts and circumstances of the case and the limited relief sought for in this Writ Petition and also without going into the merits of the case, there shall be a direction to the 2nd respondent to consider the representation made by the petitioner on 28.09.2020 and conduct an enquiry by giving opportunity to the petitioner and the 4th respondent and thereafter, final orders shall be passed strictly in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. The petitioner is directed to make fresh representation to the 1st respondent along with all the relevant documents and also a copy of this order. A copy of the representation shall also be marked to the 1st respondent.

5.This Writ Petition is disposed of with the above directions. No costs.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1.The Chairman,
Principal Secretary/Member-Secretary,
Chennai Metropolitan Development Authoirty,
No.1, Gandhi Irwin Road,
Egmore, Chennai 600 008.

2.The Chairman,Chief Executive Officer,
Chennai Metropolitan Development Authoirty,
No.1, Gandhi Irwin Road,
Egmore, Chennai 600 008

3.The Commissioner,
Corporation of Greater Chennai,
Rippon Buildings,
Chennai 600 003.

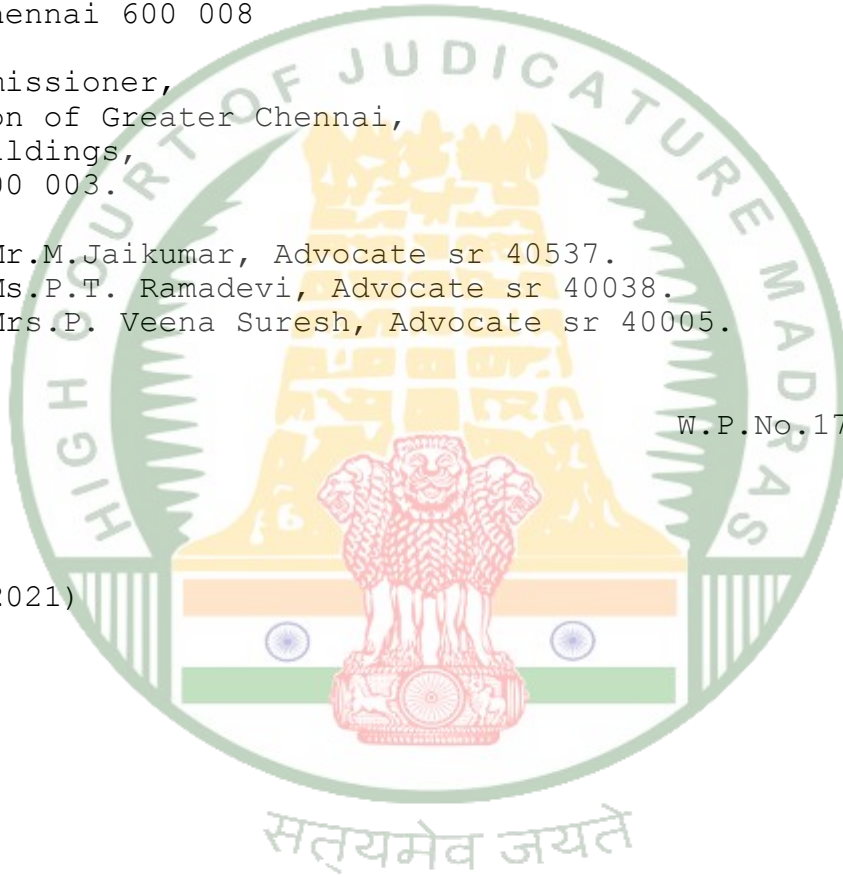
+1 CC to Mr.M.Jaikumar, Advocate sr 40537.

+1 CC to Ms.P.T. Ramadevi, Advocate sr 40038.

+1 CC to Mrs.P. Veena Suresh, Advocate sr 40005.

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PA(CO)
SP(20/01/2021)



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