

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.01.2020

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH
and
THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

Writ Petition No.34880 of 2019

E.Thomas
S/o.Emmanuvel

... Petitioner

Vs

1.The Executive Engineer,
Zone-7, Corporation of Chennai,
Ambattur, Chennai - 600053.

2.M.Damodaran
S/o.Manickam

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing respondent to dispose of the petitioner's representation dated 05.11.2019 submitted to first respondent within a time frame.

For Petitioner : Mr.A.Lakshmi Narasimhan

For Respondents: Mr.A.Nagarajan [R1]
Mr.H.Suresh Babu [R2]

O R D E R

सत्यमेव जयते

[Order of this Court was made by R.SUBBIAH, J]

Petitioner has filed the present petition seeking issuance of a Writ of Mandamus directing respondent to dispose of the petitioner's representation dated 05.11.2019 submitted to first respondent within a time frame.

2. Heard learned counsel for petitioner, learned standing counsel for first respondent and learned counsel for second respondent.

3. Learned counsel for petitioner submits that the property situated at Survey No.72, Ambattur Taluk, Thiruvallur District, belongs to petitioner's ancestors. Petitioner inherited the property along with his brother. A portion of the property was sold to second respondent by petitioner's

uncle, who, without obtaining necessary plan sanction from the first respondent, constructed multi-storied building. Petitioner objected for the same. But, without considering petitioner's objection, the second respondent is proceeding with the construction. A civil suit is also pending on the file of learned District Munsif, Ambattur. Petitioner has also submitted a representation on 05.11.2019 to first respondent to take necessary legal action against the second respondent in respect of the unauthorized construction. Since no action has been taken, the present petition has been filed seeking the aforesaid relief.

4. Learned standing counsel for first respondent submits that action was initiated by issuing a lock and seal notice on 03.01.2020.

In the aforestated circumstance, there is no need to issue any direction to first respondent. Recording the submission of learned standing counsel for first respondent, the Writ Petition is closed. No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

gm

To

The Executive Engineer,
Zone-7, Corporation of Chennai,
Ambattur, Chennai - 600053.

+1cc to Mr.A.Lakshmi Narasimhan , Advocate SR.No. 26001

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A.SK(20/02/2020)

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