

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.04.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.8718 of 2021

and

WMP.No.9251 of 2021

M.Balasubramani ... Petitioner

Vs.

1.The Commissioner,
Chennai Corporation,
Rippon Building,
Park Town, Chennai - 600 003.

2.The Executive Engineer
Corporation of Greater Chennai,
Zone -2, Manali,
Chennai - 600 060.

3.The Manager
MSPV Mahal,
Kamarajar Road,
Periyasekkadu,
Madhavaram Milk Colony,
Chennai - 600 051.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the Respondents 1 and 2 to take necessary action to prevent the use of the place permanently for the purpose of any public functions and so on in MSPV Mahal, Kamarajar Road, Periyasekkadu, Madhavaram Milk Colony, Chennai - 600 051.

For Petitioner : Mr.V.Manohar
For Respondents : Mrs.Karthika Ashok
Standing Counsel for R1 and R2

ORDER

(made by SENTHILKUMAR RAMAMOORTHY, J.)

The petitioner complains of the conduct of various public

functions at MSPV Mahal, Kamarajar Road, Periyasekkadu, Madhavaram Milk Colony, Chennai - 600 051.

2. It is asserted that this hall is being used for conducting marriages, exhibitions and various other functions. More than 100 to 200 persons attend such functions and the entire area becomes choked thereby causing traffic congestion. The writ petitioner further asserts that MSPV Mahal is functioning without obtaining the requisite licence or no objection from the Greater Chennai Corporation. It is further stated that in spite of submitting a representation and a request for information under the RTI Act, no action has been taken thereon.

3. Mrs. Karthika Ashok, learned Standing Counsel for Greater Chennai Corporation, accepts notice on behalf of respondents 1 and 2 and submits that if a representation is addressed to the Greater Chennai Corporation, the same would be disposed of within a reasonable time.

4. In the above facts and circumstances, without examining the merits of the matter, the petitioner is permitted to submit a fresh representation to the second respondent within a period of two weeks from the date of receipt of a copy of this order. Upon receipt thereof, the second respondent is directed to consider such representation and dispose of the same by a reasoned order within a period of eight weeks from the date of receipt of a copy of this order after providing a reasonable opportunity to all parties affected thereby, including the third Respondent herein. In view of the fact that the merits of the dispute has not been examined and because the second Respondent has been directed to hear the third Respondent before passing orders, the writ petition is being disposed of without notice to the third Respondent.

5. W.P.No.8718 of 2021 is disposed on the above terms. Consequently, connected WMP.No.9251 of 2021 is closed. There will be no order as to costs.

Sd/-
Assistant Registrar (CS VII)

//True Copy//

Sub Assistant Registrar

rrg

To:

- 1.The Commissioner,
Chennai Corporation, Rippon Building,
Park Town, Chennai - 600 003.
- 2.The Executive Engineer
Corporation of Greater Chennai,
Zone -2, Manali, Chennai - 600 060.

+1cc to Mrs.Karthikaa Ashok, Advocate, S.R.No.22289

+1cc to Mr.V.Manohar, Advocate, S.R.No.22292

W.P.No.8718 of 2021

GPL (CO)
KM(22/04/2021)



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