



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.07.2021

CORAM

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No. 13687 of 2021
and WMP.Nos. 14530 & 14533 of 2021

1. Lakshminarayanan N.S
2.S.Padmavathy

...Petitioners

Vs

1.The Commissioner,
Greater Chennai Corporation,
Ripon Building,
Chennai-600003.

2.R.S.Sivaprakasam

...Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India for Writ of Mandamus, directing the 1st respondent to consider the representation made by the petitioners dated 10.03.2021 and 07.04.2021 and refrain from granting any permission for demolition or other alteration to the 2nd respondent with respect to the Schedule B Property.

For Petitioner : Ramya Subramaniam
For Respondent : Mrs.P.t.Ramadevi,
Standing Counsel - R1
No Appearance - R2

O R D E R

The prayer sought for in the writ petition is to direct the 1st respondent to consider the representation made by the petitioners dated 10.03.2021 and 07.04.2021 and refrain from granting any permission for demolition or other alteration to the 2nd respondent with respect to the Schedule B Property.

2. Heard the learned counsel appearing for the petitioners, the learned Standing Counsel appearing for the 1st respondent and perused the records.

3. The learned counsel appearing for the petitioners has submitted that the 2nd respondent has erected certain steel structures without the consent of the petitioners on the common wall belongs to the petitioners' and the 2nd respondent . The petitioners have made representations to the 1st respondent-



Corporation on 10.03.2021 and 07.04.2021 respectively, stating that without any permission for demolition of the building, the 2nd respondent had erected certain structures in the above said building. Since no response from the 1st respondent-Corporation, the present writ petition is filed.

4. The learned Standing Counsel appearing for the 1st respondent-Corporation on instructions submitted that the Corporation has not granted any permission to the 2nd respondent for demolition or alteration, therefore the grievance of the petitioners cannot be entertained.

5. The learned counsel appearing for the petitioner made a request before this Court that if any application is received from the 2nd respondent for demolition or alteration of the building, an opportunity has to be granted to the petitioners to raise their objections before the 1st respondent.

6. In view of the fact that the 2nd respondent has not made any request to the 1st respondent-Corporation for demolition or alteration in the said building and no such permission has been granted by the 1st respondent-Corporation till date, this court, at the premature stage cannot consider the prayer sought for by the petitioner and the same is liable to be dismissed. If any such application is made by the 2nd respondent for demolition or alteration in the aforesaid building. The writ petitioner shall make their objections to the 2nd respondent for granting permission for demolition.

7. With the above observations, the writ petition stands dismissed. No costs. Consequently, connected Miscellaneous Petition are closed.

Sd/-

Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

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To

The Commissioner,
Greater Chennai Corporation,
Ripon Building, Chennai-600003.

+1cc to M/s.P.T.Ramadevi, Advocate, S.R.No.34668

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PCH(CO)
GN(18/08/2021)