



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 10.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
AND
THE HONOURABLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P. No.18913 of 2021

B.Vanishree

..Petitioner

Versus

1. The District Collector,
Collector Office,
Singaravelar Maligai,
No.62, Rajaji Salai,
Chennai 600 001.
2. The Commissioner,
Greater Chennai Corporation,
Ripon Building,
Chennai 600 003.
3. The Member Secretary,
CMDA,
Gandhi Irwin Road,
Egmore, Chennai 600 008.
4. The Regional Deputy Commissioner,
South Zone XIII,
Adyar, Chennai 600 020.
5. A.Mohamed Ali
6. V.Pauldas

..Respondents

[R5 & R6 are impleaded, as per the order
of this Court dated 29.11.2021 in
WMP.Nos.20996 & 23084 of 2021
in W.P.No.18913 of 2021]

PRAYER: Writ Petition filed under Article 226 of the
Constitution of India seeking to issue a Writ of Mandamus,
directing the fourth respondent Regional Deputy Commissioner,
South Zone XIII Adyar, Chennai 600 020 to consider the
petitioner's representation dated 22.03.2021 by directing the



fourth respondent to demolish the unauthorised construction made in Door No.9/112, Sardar Patel Road, Adyar, Chennai 600 020.

For petitioner : Mr.E.Balamurugan
for M.A.Balasingh Ramanujam

For respondents

for R1 : Mr.K.V.Sajeev Kumar

for RR2 & 4 : Mr.R.Gopinath

for R3 : Mrs.P.Veena Suresh

for R5 : Mr.S.Syed

for R6 : Mr.M.L.Ganesh

ORDER

(The Order of the Court was made by K.KALYANASUNDARAM, J)

The Writ Petition is heard through video conferencing.

2.Heard Mr.E.Balamurugan, learned counsel appearing for M.A.Balasingh Ramanujam, learned counsel for the petitioner, Mr.K.V.Sajeev Kumar, learned Special Government Pleader appearing for the first respondent, Mr.R.Gopinath, learned Standing Counsel appearing for the respondents 2 and 4, Mrs.P.Veena Suresh, learned Standing Counsel appearing for the third respondent, Mr.S.Syed, learned counsel appearing for the fifth respondent and Mr.M.L.Ganesh, learned counsel appearing for the sixth respondent.

3.This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the fourth respondent/the Regional Deputy Commissioner, South Zone XIII, Adyar, Chennai to consider the representation of the petitioner dated 22.03.2021.

4.It is the case of the petitioner that he is the absolute owner of the property bearing Door No.9/112 at Sardar Patel Road, Adyar, Chennai. However, the fifth respondent illegally occupied the said property and made construction without planning permission.

5.The learned Standing Counsel appearing for the Greater Chennai Corporation Mr.R.Gopinath on instructions would state that the building is in a dilapidated condition and they have proposed to issue notice under Section 258 of the Chennai City Municipal Corporation Act.

6.In the light of the prayer sought for in the Writ



Petition, this Court, without expressing any opinion on the merits of the matter, directs the fourth respondent to consider the representation of the petitioner dated 22.03.2021 and pass orders on merits and in accordance with law, after affording ample opportunity to the necessary parties including the petitioner and the respondents 5 and 6, on or before 31.01.2022.

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

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

pvs

To

1. The District Collector,
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2. The Commissioner,
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3. The Member Secretary,
CMDA,
Gandhi Irwin Road,
Egmore, Chennai 600 008.
4. The Regional Deputy Commissioner,
South Zone XIII,
Adyar, Chennai 600 020.

+1cc to Mr.P.Veena Suresh, Advocate, S.R.No.66315
+1cc to Mr.A.Balasingh Ramanujam, Advocate, S.R.No.66074
+1cc to Mr.E.Balamurugan, Advocate, S.R.No.66073
+1cc to Mr.R.Gopinath, Advocate, S.R.No.66178
+1cc to the Government Pleader, S.R.No.66155

W.P. No.18913 of 2021

RSV(CO)
RGA(25/01/2022)