



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 19.11.2021

CORAM:

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM
and
THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

W.P. No.24710 of 2021

Feroz Ebrahim

.. Petitioner

Versus

1. The Commissioner,
Greater Chennai Corporation,
Rippon Building, Chennai 600 003.
2. City Health Officer-Public Health,
Greater Chennai Corporation,
Amma Maligai, Ripon Building Campus,
Chennai 600 003.
3. Zonal Officer - Zone-13,
Greater Chennai Corporation,
No.115, Dr. Muthulakshmi Salai,
Adyar, Chennai 600 020.
4. City Medical Officer / Additional Director,
Greater Chennai Corporation,
Amma Maligai, Ripon Building Campus,
Chennai 600 003.
5. Sanitary Inspector (Ward 176),
Zone-13, No.115, Dr.Muthulakshmi Salai,
Adyar, Chennai 600 020.
6. S.Raj Kumar

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Mandamus, directing the respondents 1 to 5 to dispose of the representation dated 24.06.2021 against the sixth respondent and remove the encroachment by the first respondent.



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For petitioner : Mr.C.Ganesh Pandian
For respondents
for RR1 to 5 : Mr.R.Gopinath Standing Counsel

ORDER

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

The Writ Petition is heard through video conferencing.

2. Heard Mr.C.Ganesh Pandian, learned counsel appearing for the petitioner and Mr.R.Gopinath, learned Standing Counsel appearing for the respondents 1 to 5.

3. By consent of the parties, the Writ Petition is taken up for final disposal at the admission stage itself.

4. The petitioner has come up with this Writ Petition for issuance of a Writ of Mandamus, directing the respondents 1 to 5 to dispose of his representation dated 24.06.2021 to remove the encroachment made by the sixth respondent.

5. The petitioner would state that he is residing in the wakf estate of Khan Shaib Mahdi Hussain Sahib situated at Sardar Patel Road, Adayar, Chennai. The said property is having a passage from Sardar Patel Road. It is alleged that the sixth respondent is running an eatery in an unhygienic manner and also by encroaching the property of wakf.

6. The learned counsel appearing for the petitioner would state that the petitioner made representation to the respondents 1 to 5 to take action against the sixth respondent, but there is no response from the official respondents. He further added that it would suffice if a direction is issued to the respondents 3 and 5 to consider the representation of the petitioner.

7. The learned Standing Counsel appearing for the respondents 1 to 5 would state that the representation of the petitioner has been received by the respondents 3 and 5, and they are ready to take action in accordance with law.

8. In the light of the facts of the case and the submissions of the learned counsels appearing on either side, this Court, without expressing any opinion on the merits of the matter, directs the respondents 3 and 5 to take appropriate action on the representation of the petitioner dated 24.06.2021



in accordance with law, after affording ample opportunity to the necessary parties, within a period of six months.

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

Sd/-

Assistant Registrar(CS-IX)

// True Copy //

Sub Assistant Registrar

pvs

To

1. The Commissioner,
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Adyar, Chennai 600 020.

+1cc to Mr.C.Ganesh Pandian, Advocate SR.No.59581

+1cc to Mr.R.Gopinath, Advocate SR.No.59695

W.P. No.24710 of 2021

SSI(CO)
CB(03/12/2021)