



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2022

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA
AND
THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.NO.11104 OF 2022

Sara George

... Petitioner

-vs-

1. The Commissioner,
Greater Chennai Corporation,
Ripon Building,
Chennai-600 003.
2. The Regional Deputy Commissioner,
Zone-VIII, Greater Chennai Corporation,
Chennai-600 030.
3. The Executive Engineer,
Zone-VIII, Greater Chennai Corporation,
Chennai-600 030.
4. The Assistant Engineer,
Zone-VIII, Greater Chennai Corporation,
Chennai-600 030.
5. A.R.S.Rajesh

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking for issuance of a Writ of Mandamus, directing the respondents 1 to 4 to consider and act swiftly on the representation of the petitioner dated 13.04.2022.

For Petitioner : Mr.S.Thiruvengadam

For Respondents : Mr.K.Raja Shrinivas
1 to 4



ORDER

(Order of the Court was made by T.RAJA, J.)

This Writ Petition has been filed seeking to issue a Writ of Mandamus, directing the respondents 1 to 4 to consider the representation of the petitioner dated 13.04.2022.

2. The case of the petitioner is that the petitioner has sent a representation dated 13.04.2022 to the respondents 1 to 4 specifically mentioning that the 5th respondent by demolishing the walls started putting up a stair case in the common place at No.107, AE Block, 7th Street, 10th Main Road, Anna Nagar, Chennai-40, in order to have a separate access to his apartment which is not permissible and when the building was constructed in the year 1990, the 5th respondent having purchased 3 flats cannot make any internal alterations without obtaining proper planning permission. Therefore, a detailed representation dated 13.04.2022 by registered post was given to the 2nd respondent. Since no action has been forthcoming, the petitioner is before this Court with this Writ Petition.

3. Mr.K.Raja Shrinivas, learned Standing Counsel taking notice for the respondents 1 to 4 submitted that since the 5th respondent has started making construction of staircase in the common place which is not permissible, due action would be taken by the 3rd respondent after issuing notice to both sides.

4. Recording the same, the 3rd respondent herein, namely, The Executive Engineer, Zone VIII, Greater Chennai Corporation, Chennai, is hereby directed to consider the representation of the petitioner dated 13.04.2022, after giving notice to the petitioner as well as the 5th respondent herein and pass appropriate orders as per law against the violators. Needless to mention herein that if the 5th respondent is proceeding with some unauthorized construction as on to-day, it is at his own risk and cost.

5. With the above observation and direction, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

tsi



To

1. The Commissioner,
Greater Chennai Corporation,
Ripon Building,
Chennai-600 003.
2. The Regional Deputy Commissioner,
Zone-VIII, Greater Chennai Corporation,
Chennai-600 030.
3. The Executive Engineer,
Zone-VIII, Greater Chennai Corporation,
Chennai-600 030.
4. The Assistant Engineer,
Zone-VIII, Greater Chennai Corporation,
Chennai-600 030.

+1cc to M/s.S.Thiruvengadam, Advocate, S.R.No.29573

+1cc to M/s.K.Raja Shrinivas, Advocate, S.R.No.29504

W.P.No.11104 of 2022

SMI (CO)
RLP (20/05/2022)