



W.P.No.34020 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.11.2022

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.34020 of 2014

and

M.P.No.1 of 2014

C.M.Santhi

... Petitioner

Vs.

1.The Commissioner,
Chennai Corporation,
Rippon Building, Chennai - 3.

2.S.Mohanavelu

... Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the first respondent to pass orders on the representation dated 04.12.2014 on merits.

For Petitioner : Mr.L.Chandrakumar

For R1 : Mr.Rahul Aditya
for M/s.P.T.Ramadevi

For R2 : No appearance



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ORDER

This Writ Petition has been filed for issuance of a Writ of Mandamus, to direct the first respondent to pass orders on the representation dated 04.12.2014 of the petitioner on merits.

2. The case of the petitioner is that the petitioner is the owner of the subject property, wherein, a commercial building was constructed consisting of Ground + 2 Floor. In the first floor, the petitioner is running a Tuition Centre imparting education to 10th and 12th Standard Students. In the same premises, the second respondent is running a welding business and is said to have obtained Certificate to run the same and for carrying on engineering works.

3. It is case of the petitioner that after the permission was obtained, the second respondent erected a very big welding machine beyond the permissible limit which is causing damages to the entire construction and is also causing inconvenience to the students coming for tuition in the first floor. Under these circumstances, the petitioner sent representation dated



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04.12.2014 to take action against second respondent. However, the first respondent has failed to take any action to restrain the second respondent from causing any damages to the building. Therefore, the petitioner has filed this Writ Petition for a direction to the first respondent to consider the representation of the petitioner dated 04.12.2014.

4. Considering the above, I direct the first respondent to consider and pass appropriate orders on the representation of the petitioner dated 04.12.2014, within a period of six weeks from the date of receipt of a copy of this order. Needless to state that before passing such order, the petitioner and the second respondent shall be heard.

5. This Writ Petition stands disposed of with the above observations. No cost. Consequently, connected Miscellaneous Petition is closed.

02.11.2022

Internet : Yes / No
Index: Yes/ No
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To
The Commissioner,



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Chennai Corporation,
Rippon Building, Chennai - 3.



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C.SARAVANAN, J.

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