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W.P.No.28385 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.12.2022

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI
and

THE HONOURABLE MRS.JUSTICE R.HEMALATHA

W.P.No.28385 of 2022

1.M.Sangeetha

2.A.Manivannan

.. Petitioners

Vs.

1.The Secretary,
Housing and Urban Development Department,
Secretariat, Fort Saint George,
Chennai – 600 009.

2.The Member Secretary,
The Chennai Metropolitan Development Authority,
No.1, Gandhi Irwin Road,
Egmore, Chennai – 600 008.

3.The Commissioner,
Corporation of Chennai,
Ripon Building, Chennai.

4.M/s. Sapthrishi Build Con LLP,
(Limited Liability Partnership)
Rep. by its
Partner / Authorized Representative
Deepak Agarwal,
Having its Regd. Office at
No.2, Raddison Blu Hotel, Chennai City Centre,



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Ethiraj Salai, (Commander-in-Chief Road),
Egmore, Chennai – 600 008.

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5.M.Balasubramanian

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, to file a 'Status Report' before this Court and take appropriate action on the violations committed by the builder on the property situated at Flat No.B-1J, Block “B”, 1st Apartment Floor, “Asta AVM” situated at Kannagiupuram, 3rd & 4th Streets, P.V.Rajamannar Salai, Chennai – 600 013 based on the representation given by the petitioner on 17.12.2021 and 07.09.2022.

For Petitioners : Mr.T.Sri Krishna Bhagavat

For R1 : Mr.E.Vijay Anand
Additional Government Pleader

For R2 : Ms.C.N.Vinobha

For R3 : Mr.D.B.R.Prabhu
Standing Counsel

For RR 4 & 5 : Mr.Najeeb Usman Khan

ORDER

(Order of the Court was delivered by V.M.VELUMANI,J.)

The petitioners have come out with the present Writ Petition to file a 'Status Report' before this Court and take appropriate action on the violations committed by the builder on the property situated at Flat No.B-1J, Block “B”, 1st Apartment Floor, “Asta AVM” situated at



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Kannagiupuram, 3rd & 4th Streets, P.V.Rajamannar Salai, Chennai – 600

013 based on the representation given by the petitioner on 17.12.2021 and 07.09.2022.

2.Though the petitioners have raised various grounds alleging that respondents 4 & 5 are constructing building in violation of the building plan and approval, at the time of arguments, the learned counsel appearing for the petitioners submitted that the petitioners will give a fresh representation to the 2nd respondent expressing their grievances and a direction may be issued to the 2nd respondent to dispose of the representation after hearing the parties concerned.

3.The learned counsel appearing for the 2nd respondent submitted that if any such representation is given by the petitioners, the same will be considered and disposed of after issuing notice to the parties concerned.

4.Heard the learned counsel appearing for the petitioners, learned Additional Government Pleader appearing for the 1st respondent, learned counsel appearing for the 2nd respondent, learned Standing Counsel appearing for the 3rd respondent as well as the learned counsel appearing



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for the respondents 4 & 5 and perused the entire materials on record.

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5.In view of the above submissions made by the learned counsel appearing for the petitioners as well as the learned counsel appearing for the 2nd respondent, the petitioners are directed to give a fresh representation to the 2nd respondent by expressing their grievances within a period of two weeks from the date of receipt of a copy of this order. On receipt of such representation, the 2nd respondent is directed to consider the said representation on merits and pass orders in accordance with law within a period of eight weeks thereafter after issuing notice and hearing all the parties concerned.

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

(V.M.V., J) (R.H., J)
06.12.2022

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krk

Index : Yes / No

Internet : Yes / No



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V.M.VELUMANI, J.

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