



WP.No.31259 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

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J.Madhanram

... Petitioner

Vs

1. The Commissioner,
Corporation of Greater Chennai,
Rippon Buildings, Chennai.
2. The Zonal officer, Zone 14,
Corporation of Greater Chennai,
Thirvengadam Street, Kasturibai Nagar,
Adyar, Chennai.
3. The Assistant Engineer, Zone – 13,
Corporation of Greater Chennai,
Thirvengadam Street, Kasturibai Nagar,
Adyar, Chennai.

4. Meera Rengaswamy

... Respondents

Prayer:- Writ Petition filed under the Article 226 of Constitution of India, to issue a Writ of Mandamus directing the respondents to remove the iron gate erected in the premise by violating the building plan approval and to take action against the fourth respondent, her daughter Mrs.Sudha and son-



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in-law Mr.Sudinder for making deviation in the apartment by erecting Iron Gate in the backside of the premise at Door No.T-3/2/C, Kaveri street, Besant Nagar, Chennai – 600 090, within the time to be stipulated by this Court in accordance with law.

Petitioner : Mr.G.Shivasurya

Respondents : Mrs.P.T.Ramadevi – R1 to R3

Mr.K.R.Arunshhabari – R4

ORDER

This Writ Petition has been filed to direct the respondents to remove the iron gate erected in the premise by violating the building plan approval and to take action against the fourth respondent, her daughter Mrs.Sudha and son-in-law Mr.Sudinder for making deviation in the apartment by erecting Iron Gate in the backside of the premise at Door No.T-3/2/C, Kaveri street, Besant Nagar, Chennai – 600 090, within the time to be stipulated by this Court in accordance with law.

2. The grievance of the petitioner is the he is also a flat owner and residing in the first floor. Whereas, the fourth respondent is residing in the



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ground floor and he has put a iron gate thereby prevented the access of the petitioner to go around the flats. Hence, he has filed this Writ Petition for the aforesaid relief.

3. Whereas, the specific contention of the fourth respondent is that next to the flat, there is a building in dilapidated condition and in order to prevent any unauthorized entry, the gate has been put up in ground floor and the fourth respondent alone is residing in the ground floor. It is his further contention that already a police complaint has been given wherein the fourth respondent has given an undertaking that the gate has been erected only to protect the unauthorized entry by third parties and the gate will be kept open and the petitioner can also go around the flat.

4. In such view of the matter, as the gate has been erected only to prevent unauthorized entry of the third parties, there cannot be a blanket direction. Since the grievance of the petitioner is that his access is prevented, the fourth respondent is directed to hand over one key to the petitioner, so that the petitioner can also open the gate whenever he desires to go around the apartment.



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costs.

5. With the above direction, this Writ Petition is disposed of. No

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vrc

To

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N.SATHISH KUMAR, J.

VTC

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