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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.06.2022

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THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.No.17878 of 2017
and
W.M.P.No.19407 of 2017

M.Ahmed Masthan

... Petitioner

Vs.

- 1.Corporation of Chennai,
Rep by its Commissioner,
Rippon Buildings, Chennai - 600 003.
- 2.The Regional Deputy Commissioner (North),
Corporation of Chennai, Zone - V,
No.61, Basin Bridge Road,
Chennai - 600 021.
- 3.The Superintending Engineer (North),
Corporation of Chennai, (T.P and SWM),
No.61, Basin Bridge Road,
Chennai - 600 021.
- 4.The Executive Engineer,
Corporation of Chennai, Zone - V,
No.61, Basin Bridge Road,
Chennai - 600 021.
- 5.The Assistant Engineer,
Division - 56, Corporation of Chennai,
Madi Poonga, Nearby Bharathi College,
Chennai - 600 001.
- 6.K.M.S.Saroja
- 7.K.M.S.Anbuselvi
- 8.K.M.S.Poongodi

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Mandamus, directing the respondents 1 to 5 herein to take action under Section 380 and 381 of the Chennai City Municipal Corporation Act, 1919 (Act IV



of 1919) to demolish the dangerous structure/building situated at Door No.19/35, Venkata (1) Street, Muthialpet, Chennai - 1, after evacuation of the occupants/respondents 6 to 8 herein, within a time fixed by this Hon'ble Court.

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For Petitioner : Mr.M.Gnanasekar

For Respondents: M/s.B.Manimegalai
for R1 to R5
Mr.R.Raveendran
for R6 to R8

ORDER

The learned counsel for the 6 to 8 respondents submits that the respondents 6 to 8 are the co-owner of the property along with the petitioner reports no instructions.

2.The learned counsel for the petitioner submits that petitioner is willing to co-ordinate with the official respondents for demolishing the building which is in dilapidated conditions.

3.Heard the learned counsel for the petitioner and the learned counsel for the respondents.

4.The official respondents are directed to take appropriate steps in accordance with law on the representation dated 30.09.2016 of the petitioner, after giving due notice to the private respondents herein. Only, thereafter demolishing of the building, if any, shall be carried out by the official respondents, in all the properties that are owned by the petitioner, in case a decision is taken to demolish the premises. This exercise shall be carried out by the respondents 1 to 5 within a period of six weeks from the date of receipt of a copy of this order.

5.This writ petition is disposed of with the above observations. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Commissioner,
Corporation of Chennai,
Rippon Buildings, Chennai - 600 003.
- 2.The Regional Deputy Commissioner (North),
Corporation of Chennai, Zone - V,
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- 3.The Superintending Engineer (North),
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No.61, Basin Bridge Road,
Chennai - 600 021.
- 5.The Assistant Engineer,
Division - 56, Corporation of Chennai,
Madi Poonga, Nearby Bharathi College,
Chennai - 600 001.

+1cc to Mr.M.Gnanasekar, Advocate, S.R.No.35638
+1cc to M/s.B.Manimegalai, Advocate, S.R.No.35989

W.P.No.17878 of 2017
and
W.M.P.No.19407 of 2017

PM(CO)
SB(05/07/2022)