



W.P.No.1582 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.08.2023

CORAM

THE HONOURABLE Mrs.JUSTICE J.NISHA BANU

and

THE HONOURABLE Mrs.JUSTICE N.MALA

W.P.No.1582 of 2021

and

W.M.P.Nos.1788 & 1791 of 2021

C.Devendra Prasad

...Petitioner

vs

1. The Chief Engineer,
Greater Chennai Corporation,
(Bridges, Mechanical & Buildings)
Ripon Building,
Chennai - 600 003.
2. The Zonal Engineer, (Zone-9)
Greater Chennai Corporation,
No.1, 4th Cross Street,
Nungambakkam, near tennis stadium,
Chennai - 600 034.
3. The Assistant Engineer,
Division Office,
Greater Chennai Corporation,
Near S.I.E.T. College Road,
Alwarpet,
Chennai - 600 018.



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4. C.Sampathkumar

5. S.Dineshkumar

6. S.Sathiskumar

.... Respondents

Writ Petition filed under Article 226 of the Constitution to issue a Writ of Mandamus to direct the respondents 1 to 3 to take appropriate action as against the respondents 4 to 6, who made illegal construction made in second floor of door No.157/518, TTK Road, Alwarpet, Chennai - 600 018 in accordance with law on the basis of petitioner complaints dated 07.12.2020, 26.12.2020, 30.12.2020 & 31.12.2020.

For Petitioner : Mr.S.Marudhachalamurthy

For Respondents : Mr.E.C.Ramesh
Standing Counsel for R1 to R3
Mr.A.Umasankar for R4 to R6

ORDER

This Writ Petition has been filed to issue a Writ of Mandamus to direct the respondents 1 to 3 to take appropriate action as against the respondents 4 to 6, who made illegal construction made in second floor of Door No.157/518, TTK Road, Alwarpet, Chennai - 600 018 in accordance with law on the basis of petitioner complaints dated 07.12.2020,



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26.12.2020, 30.12.2020 & 31.12.2020.

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2. It is brought to the notice of this Court by the learned Standing Counsel appearing for the Respondents 1 to 3/Corporation that already a Civil Suit in C.S.No.3961/2020 has been filed by the 4th, 5th and 6th respondents herein as against this petitioner before the XIII Assistant, City Civil Court, Chennai, restraining the defendants/petitioner herein & 2 others from in any manner disturbing the alteration work carrying on by the plaintiffs/respondents 4 to 6 herein or interfering with the plaintiffs' peaceful possession and enjoyment of the suit premises without following due process of law and the same is pending.

3. In view of the above submission made by the learned Standing Counsel for the Corporation that the civil suit is pending on the same cause of action, this Writ Petition cannot be entertained. Accordingly, this Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(J.N.B.,J.) (N.M.,J.)
16.08.2023

Index:Yes/No
Speaking/Non-speaking order
vsi



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**J.NISHA BANU,J.
and
N.MALA,J.**

vsi

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