



W.P.No.3709 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.02.2023

CORAM :

THE HONOURABLE MR. JUSTICE S.S. SUNDAR

AND

THE HONOURABLE MR. JUSTICE P.B. BALAJI

W.P.No.3709 of 2023

B.L.Sankar

Vs.

... Petitioner

1.The Commissioner,
Greater Chennai Corporation,
Ripon Building, Park Town,
Chennai – 600 003.

2.The Member Secretary,
Chennai Metropolitan Development Authority,
Thalamuthu Natarajar Maaligai,
Gandhi Irwin Road, Egmore,
Chennai – 600 008.

3.The Executive Engineer,
Greater Chennai Corporation,
Zone – V,
No.61, Basin Bridge Road,
Chennai – 600 021.

4.M.P.Charavanan

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the Respondent 1 and 2 to consider the petitioner representation dated 16.08.2022 to remove the unauthorized construction within a stipulated period that may be fixed by this Court.

For Petitioner : Mr.M.K.Bhoopathy Rajan
For R1 to R3 : Mr.D.B.R.Prabhu
Standing Counsel
for Greater Chennai Corporation

ORDER

(Order of the Court was made by **S.S. SUNDAR, J.**)

The petitioner has filed the above writ petition for issuance of a Writ of Mandamus directing the respondents 1 and 2 to consider the petitioner's representation, dated 16.08.2022, to remove the unauthorized construction, within a stipulated period that may be fixed by this Court.

2.The petitioner has alleged that the 4th respondent has illegally encroached the Government land and has put up unauthorized construction



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and is doing business in the name and style of M/s.M.P.Charavanan Juice

Bar. The grievance of the petitioner is that the 4th respondent has obstructed the Government land in RS.No.9130, VOC Nagar, N.S.C.Bose Road, Chennai – 600 079 and has blocked the free usage of N.S.C.Bose Road by public. The petitioner states that he submitted representations in this regard to the respondents on 18.07.2022 and 16.08.2022, to remove the illegal encroachment and construction put up by the 4th respondent. However, since the same did not evoke any response, the petitioner is constrained to file the present writ petition before this Court.

3.Learned counsel appearing for the petitioner submitted that it would suffice if a direction is issued to the respondents to consider the representation submitted by the petitioner within a stipulated time.

4.Having regard to the prayer in the writ petition and the submission now made by the learned counsel appearing for the petitioner before this Court, without going into the merits of the contentions raised by the petitioner in the present writ petition or the representation submitted by the



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petitioner to the respondents, this Court directs the 3rd respondent to consider the representation of the petitioner, dated 16.08.2022, after issuing notice to the 4th respondent and giving the 4th respondent sufficient opportunity of hearing, and dispose of the same on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. The 3rd respondent may also inform the petitioner of the action taken or communicate the order passed on the representation of the petitioner.

5. With the above directions, this writ petition is disposed of. No costs.

(S.S.S.R., J.) (P.B.B., J.)
09.02.2023

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Internet : Yes

Index : Yes / No

Speaking order / Nonspeaking order



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To
WEB COPY

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