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W.P.No. 20787 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.06.2023

CORAM

**THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR
AND
THE HONOURABLE MR.JUSTICE P. DHANABAL**

W.P.No. 20787 of 2018

1 M. Munnerunnissa Begum

..Petitioner

Vs

- 1 The Chief Secretary
Government of Tamil Nadu,
Housing and Urban Development Department,
Fort ST. George, Chennai - 600009
- 2 The Commissioner
Corporation of Chennai,
Ripon Buildings,
EVR Sampath Salai, Chennai - 3
- 3 The Executive Engineer
Corporation of Chennai,
Zone V Division 63
No. 62 Basin Bridge Road,
Washermenpet, Chennai - 21
- 4 The Junior Engineer
Corporation of Chennai,
Zone V Division 63,

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No. 62 Basin Bridge Road,
Washermenpet, Chennai - 21

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5 Assistant Engineer
Corporation of Chennai,
Zone V Division 63
No. 62 Basin Bridge Road,
Washermenpet, Chennai - 21

6 A. Masooda Begum
W/o. M. Khaliq Basha

...Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India to issue a writ of Mandamus, directing the respondents 2 to 5 to consider petitioner representation dated 23.05.2018 and initiate action against the unauthorized construction made by the 6th respondent in the property bearing Door No. 7 Boo Begum Street Anna Road, Chennai – 600002,

For Petitioner : Mr. S.Hussain Afroze

For Respondents : Mr.E.Vijay Anand, AGP- R1
Mr.D.B.R. Prabhu, Standing Counsel-R2
to R5
Mr. M.M.Javadh - R6

ORDER

(Order of the Court was made by D.KRISHNAKUMAR, J.)

The prayer sought for in the writ petition is to direct the respondents 2 to 5 to consider petitioner representation dated 23.05.2018 and initiate



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action against the unauthorized construction made by the 6th respondent in the property bearing Door No. 7 Boo Begum Street Anna Road, Chennai – 600002.

2. The learned counsel for the petitioner has submitted that the 6th respondent is not constructing the building in accordance with the sanctioned plan granted by the authorities and the same has been confirmed by the respondents -official in reply to the RTI information sought for by the petitioner. The learned counsel for the petitioner has further submitted that the petitioner has made representation dated 23.05.2018 to the respondents 2 to 5 to take action against the 6th respondent for the unauthorised construction carried on by her. Since no action has been taken by the respondents, the present writ petition has been filed seeking directions to the respondents.

3. The learned standing counsel appearing for the respondents-Corporation has submitted that the representation of the petitioner will be considered by the authorities concerned and appropriate orders will be passed in accordance with law.



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4. In view of the aforesaid submissions made by both the learned counsels, the 2nd respondent is directed to consider the representation dated 23.05.2018 submitted by the petitioner and take appropriate action for the unauthorised construction carried on by the 6th respondent in the property bearing Door No. 7/4, Boo Begum Street, Anna Salai, Chennai, after giving opportunities to the parties concerned, in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

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

(D.K.K., J.) (P.D.B., J.)

21.06.2023

Index: Yes / No

Internet: Yes

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To

1 The Chief Secretary
Government of Tamil Nadu,
Housing and Urban Development Department,
Fort ST. George, Chennai - 600009

2 The Commissioner

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**D.KRISHNAKUMAR, J.
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