



W.P.No.12730 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 24.04.2023

C O R A M

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.12730 of 2023

G.Durai Murugan

... Petitioner

Vs

- 1.The Commissioner,
Corporation of Chennai,
Ribon Building,
Chennai-600003.
- 2.The Deputy Commissioner,
Corporation of Chennai,
Zone No.5,
Chennai-600021.
- 3.The Executive Engineer,
Corporation of Chennai,
Zone No.5,
Chennai-600021.
- 4.The Zonal Officer,
Corporation of Chennai,
Zone No.5,
Chennai-600021.
5. Malar
Joint Engineer,
Corporation of Chennai,
Zone No.5, Chennai-600021.

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus or any other direction directing the respondents 1 to 4 to take appropriate action with regard to the petitioner's representation dated 27.03.2023.

For Petitioner ... Mr.D.Ananthapadmanabhan
For Respondents ... M/s.Aswini Devi,
 Standing Counsel (Corporation of Chennai)
 for R1 to R4

ORDER

This Writ Petition has been filed for a direction to the respondents 1 to 4 to take appropriate action based on the petitioner's representation dated 27.03.2023.

2. M/s.Aswini Devi, learned Standing counsel takes notice for Respondents 1 to 4.

3. The petitioner claims that he was working as a daily wage laborer under one Jaya who is running a bunk shop in the name of Durai tea stall as per the order of this Court in W.P.No.22582 of 2022. The petitioner states that all



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of a sudden, the 5th respondent who is the joint engineer in the Corporation of Chennai, without following the aforesaid order passed by this Court has evacuated the petitioner from the bunk shop without any eviction order. Hence, he has made a representation dated 27.03.2023 to the respondents 1 to 4 to take departmental action against the 5th respondent. Since no response is forthcoming from the aforesaid respondents the petitioner has filed the present Writ Petition for a direction to consider the representation dated 27.03.2023.

4. Though very many grounds have been raised, the learned counsel for the petitioner submits that it would suffice if this Court issues a direction to the respondents to consider the petitioner's representation made on 27.03.2023 seeking seeking to take departmental action against the 5th respondent herein

5. On the above contention, this Court heard the learned Standing Counsel appearing for the Respondents 1 to 4.

6. A perusal of the materials available on record reveals that one Jaya is the owner of the bunk shop. However, the petitioner is working as daily wage worker under the owner of the property. The petitioner being not the owner of



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the property has no *locus standii* to question the eviction. Hence, the prayer sought for in this Writ Petition cannot be granted. However, liberty is granted to the petitioner to work out his remedy in the manner known to law.

7. For the aforesaid reasons, this Writ Petition stands dismissed.

There shall be no order as to costs.

24.04.2023

NHS

Index: Yes/No

Internet: Yes



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WEB COPY

To

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M.DHANDAPANI, J

NHS

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