



W.P.No.33956 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 23.01.2023

CORAM

THE HONOURABLE Mr.JUSTICE R.MAHADEVAN
AND
THE HONOURABLE Mr.JUSTICE MOHAMMED SHAFFIQ

W.P.No.33956 of 2016

R.Padmini

.. Petitioner

Vs.

- 1.The District Collector
Kancheepuram District, Kancheepuram
- 2.The Member Secretary
Chennai Metropolitan Development Authority
Thalamuthu Natarajan Building Egmore
Chennai-600 008
- 3.The Block Development Officer
St.Thomas Mount Panchayat Union
Chitlapakkam, Chennai-64
- 4.The President
Chitlapakkam I Grade- Village Panchayat
Chithalapakkam, Chennai-126
- 5.R.Shanthi, W/o.Raju
No.5/12, Main Road Vivekanandha Nagar Extn.
Chithalapakkam, Chennai-126

.. Respondents



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Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF MANDAMUS directing the respondents to consider the petitioner's representation dated 04.02.2016 and to take action against the unauthorised construction carried out by the fifth respondent in Survey No.12/21, Plot No.15, Door No.5/12, 1st Main Road, Vivekanandha Nagar Extension, Chithalapakkam Village.

For Petitioner : Mr.G.Anabayachozhan
For RR 1, 3 & 4 : Mr.A.Selvendiran
Special Government Pleader
For R2 : Ms.Veena Suresh
For R5 : Mr.J.Kamaraj

ORDER

[Order of the Court was made by R.MAHADEVAN, J.]

According to the petitioner, the fifth respondent had carried out the unauthorised construction in S.No.12/21, Plot No.15, Door No.5/12, 1st Main Road, Vivekanantha Nagar Extension, Chithalapakkam Village, for commercial purpose and hence, the petitioner made a representation dated 04.02.2016 to the respondents 1 to 4 requesting to take appropriate action against the fifth respondent and remove the unauthorised construction. Finding no response on the same, the petitioner has come up with this writ petition seeking appropriate direction to the respondent authorities in this regard.



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2.Heard the learned counsel appearing for all the parties and perused the materials available on record.

3.Considering the limited nature of the relief sought herein, this court, without going into the merits of the case, directs the respondents 1 to 4 to consider the petitioner's representation dated 04.02.2016, if not considered earlier, and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of hearing to all the parties concerned, within a period of eight weeks from the date of receipt of a copy of this order.

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

[R.M.D., J.] [M.S.Q., J.]
23.01.2023

Index: Yes / No
Speaking order / Non-speaking order
Neutral Citation: Yes / No
nsd



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R.MAHADEVAN, J.
AND
MOHAMMED SHAFFIQ, J.

nsd

To

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