



WEB COPY



WP NO.140 OF 2018

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED: 07.03.2023**

**CORAM:**

**THE HON'BLE MS.JUSTICE V.M.VELUMANI  
AND  
THE HON'BLE MR.JUSTICE V.LAKSHMINARAYANAN**

**WP NO.140 OF 2018**

M.Vedachalam

... Petitioner

*Versus*

- 1.The Commissioner  
Greater Chennai Corporation  
Rippon Building,  
Chennai – 600 003.
- 2.The Zonal Officer  
Zone – 5  
Greater Chennai Corporation  
Basin Bridge Road,  
Chennai – 600 079.
- 3.The Assistant Revenue Officer  
Zone – 5  
Greater Chennai Corporation  
Basin Bridge Road,  
Chennai – 600 079.
- 4.The Assistant Engineer  
Division 50  
Metro Water & Sewage Board  
Royapuram, Chennai – 600 013.
- 5.R.Valli

... 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 respondents 1 to 4 to cancel the property tax assessment disconnect the water and sewerage connection to the 5<sup>th</sup> respondent's property located at No.47, Old No.18, Periyathambi Street, Kasimedu, Royapuram, Chennai – 600 013.

For Petitioner : Mr.V.Manohar

For Respondents : Mr.A.C.Manibharathi  
1 to 3 Standing Counsel

For Respondent 4 : No appearance

For Respondent 5 : Mr.V.L.Vivekanand

### **ORDER**

#### **[ORDER OF THE COURT WAS MADE BY V.M.VELUMANI, J.]**

The petitioner has come out with the present writ petition seeking for a direction to the respondents 1 to 4 to cancel the property tax assessment, disconnect the water and sewerage connection to the fifth respondent's property located at No.47, Old No.18, Periyathambi Street, Kasimedu, Royapuram, Chennai – 600 013.

2. The petitioner is the owner of the property situate within R.S.No.3366/2, measuring about 600 sq.ft., as per Collector Certificate C.C.No.1186 comprised in original Survey No.2847, within the premises



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bearing New No.19, Old No.30A, Periyathambi Street, Kasimedu, Royapuram, Chennai – 600 013. The fifth respondent is the neighbour of the petitioner. There is some civil dispute between the petitioner and the fifth respondent. The fifth respondent, without obtaining any planning permission from the authorities concerned is proceeding with the unlawful construction. Hence, the petitioner sent a representation dated 25.05.2017 to the respondents 1 to 4 to cancel the property tax assessment of the fifth respondent and to disconnect the water and sewerage connection of the unauthorised building. Since no order has been passed by the respondents, on the representation of the petitioner, the petitioner has come out with the present writ petition.

3. Heard the submissions by the learned counsel for the petitioner and the learned counsels for the respondents 1 to 3. Though the fourth respondent entered appearance through counsel, there is no appearance on behalf of the fourth respondent.

4. Considering the submissions made and the nature of relief sought for, without deciding the issue on merits, the respondents 1 to 4 are directed to inspect the property of the fifth respondent, within a period of two



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weeks from the date of receipt of a copy of this order and if any unauthorised construction work is under progress, the respondents 1 to 4 are directed to take action, in accordance with law, taking into consideration the representation of the petitioner, within a period of eight weeks thereafter.

5. The writ petition is disposed of with the above direction. No costs.

**[V.M.V., J.]      [V.L.N., J.]**

**07.03.2023**

Index : Yes/No  
Internet : Yes/No  
Speaking / Non-speaking order  
TK



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