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W.P.No.22434 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :31.07.2023

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.22434 of 2023

M/s.Ramaniyam Real Estates (P) Ltd.,
Rep. By its Managing Director,
17/35, 2nd Main Road, Gandhi Nagar,
Adyar, Chennai – 600 020.

...Petitioner

Vs.

- 1.The Commissioner,
Greater Chennai Corporation,
Rippon Building,
Chennai – 600 009.
- 2.Regional Joint Commissioner,
South Region,
Greater Chennai Corporation,
Zone 13, Adyar, Chennai – 600 020.
- 3.The Executive Engineer,
Greater Chennai Corporation,
Zone 13, Adyar,
Chennai – 600 020.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for
issuance of a Writ of Mandamus, directing the respondent to consider the



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representation given by the petitioner on 26.06.2023 to the respondents for demolition of the existing building situating at Balaji Apartments, New No.12, Old No. 68, 3rd Main Road, Gandhi Nagar, Adyar, Chennai – 600 020 and demolish the building by the respondent Corporation as per the Demolition Permit issued by the respondent on 30.08.2022.

For Petitioner : M/s.S.Vaitheeswari
for Mr.S.Sundaresan

For Respondents : Mr.A.S.Ragul Adhithya
for Mrs.P.T.Ramadevi
Standing Counsel (GCC)

ORDER

The writ petition is filed seeking a direction to the respondents to consider the representation of the petitioner dated 26.06.2023, seeking demolition of the building at Balaji Apartments, New No.12, Old No. 68, 3rd Main Road, Gandhi Nagar, Adyar, Chennai – 600 020

2. It is the case of the petitioner that the petitioner and the other owners of the above mentioned building are decided to demolish the existing structure and construct new building in its place, as the building is in a dilapidated condition. The respondent Corporation also granted a demolition permission by order dated 30.08.2022. However, the petitioner is not in a position to carry out the demolition work, as two of the co-owner namely, Ms.Padmini



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Nagarajan and Mr.V.Venkatesan objected to the demolition of the building therefore, the petitioner submitted a representation dated 26.06.2023 to the respondents, seeking their intervention for demolition.

3. In view of the limited prayer made by the writ petitioner, seeking disposal of the petitioner's representation, without expressing any opinion on the merits of the case, this Court is inclined to issue a direction to the second respondent to consider the representation of the petitioner dated 26.06.2023 and pass final orders on merits and in accordance with law after issuing notice to the persons, who are objecting to the demolition within a period of eight weeks from the date of receipt of a copy of this order.

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

31.07.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
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S.SOUNTHAR, J.

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To

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