



WEB COPY



W.P.No.1450 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.01.2023

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI
and

THE HONOURABLE MRS. JUSTICE R.HEMALATHA

Writ Petition No.1450 of 2023

1.G.Yudeesh Kumar

2.K.Geetha Devi

.. Petitioners

Vs.

1.The Commissioner,
Corporation of Chennai,
Ripon Building
Chennai-600 003.

2.The Assistant Executive Engineer (Buildings)
Corporation of Chennai,
Ripon Building
EVR Road, Chennai-600 003.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the respondents to consider the representation dated 30.04.2022 to demolish the unauthorised construction of bridge between Block A and B at Flat Nos. F4 and F5 situated in plot no.30 and 31B, 2nd street, Samdharia colony, Kolathur, Chennai- 600 099, comprised in old S.No.119/2, New



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No.119/2B, as per patta survey No.119/27 of Kolathur village,
Purasaiwalkam-Perambur.

For Petitioners : Ms.N.Gayathri
for Mr.S.Thiruvengadam

For Respondents : Mr.D.B.R.Prabhu
Standing Counsel

ORDER

(Order of the Court was delivered by V.M.VELUMANI,J.)

The present writ petition is filed for a direction to the respondents to consider the representation of the petitioners dated 30.04.2022 to demolish the unauthorised construction of bridge between Block 'A' and 'B' at Flat Nos. F4 and F5 situated in plot no.30 and 31B, 2nd street, Samdharia colony, Kolathur, Chennai- 600 099, comprised in old S.No.119/2, New No.119/2B, as per patta survey No.119/27 of Kolathur village, Purasaiwalkam-Perambur.

2.Heard the learned counsel appearing for the petitioners as well as learned Standing Counsel appearing for the respondents and perused the entire materials on record.



3. According to the petitioners, they have purchased Flats bearing Nos.F4 & F5 at Plot Nos.30 and 31 in 'B' Block, 2nd street, Samdharia Colony, Kolathur, Chennai-600 099. Even though builders built 2 separate Blocks 'A' and 'B', unauthorisedly put up a small bridge connecting Block 'A' and 'B'. Due to said connection, many unknown persons enter the petitioners' Block from 'A' Block through terrace and in recent past, several thefts have taken place. According to the petitioners, they gave representation to the respondents on 30.04.2022 to demolish the unauthorised construction. Since no action is taken, the petitioners have come out with the present writ petition for the above stated relief.

4. Mr.D.B.R.Prabhu, learned Standing Counsel appearing for the respondents submitted that Officials of the respondents will inspect the property and if there is any unauthorised construction put up, the respondents will take action to remove the unauthorised construction.

5. From the affidavit filed in support of the above writ petition, it is seen that petitioners have not impleaded either the builder or association, which is in management of the Blocks 'A' and 'B' in question. Further, the petitioners have not given any particulars with regard to date of



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construction. Learned counsel appearing for the petitioners is not able to tell who has constructed the bridge connecting Block 'A' and 'B'. In view of representation given by petitioner and submission of learned Standing Counsel appearing for the respondents, it is open to the Officials of the respondents to inspect the buildings in question and if there is any unauthorised bridge connecting Block 'A' and 'B', appropriate action may be taken after issuing notice to the Association.

6. With the above observation, the writ petition is disposed of. No costs.

(V.M.V., J) (R.H., J)
23.01.2023
(2/2)

Index : Yes/No
Neutral Citation : Yes/No
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**V.M.VELUMANI,J.
and
R.HEMALATHA,J.**

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