



W.P.No.25257 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 20.02.2023

CORAM

THE HONOURABLE Ms.JUSTICE V.M.VELUMANI
AND

THE HONOURABLE Mrs.JUSTICE R.HEMALATHA

W.P.No.25257 of 2017

E.Arumugam

.. Petitioner

Vs.

1.The Commissioner
Greater Chennai Corporation
Ripon Building, Chennai 600 003

2.Regional Deputy Commissioner (South)
Greater Chennai Corporation
No.115, Dr.Muthulakshmi Salai
Adyar, Chennai 600 020

3.Zonal officer, Zone XII (Alandur)
Greater Chennai Corporation
No.1, New Street, Near GST Road
Alandur, Chennai 600 016

4.Executive Engineer, Zone XII
Greater Chennai Corporation
Alandur, Chennai 600 016

5.The Assistant Engineer/Junior Engineer
Division 160, Zone XII
Greater Chennai Corporation
Alandur, Chennai 600 016



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6.Chenthamarai @ Fathima

7.Veeramuthu

8.Lakshmi

9.Chandrakala

10.Yaqup Ali

11.Beermohamad

12.Sulaiman

13.Mastan

14.Aisha

15.The Additional Secretary to Government
Housing and Urban Development Department
Fort St. George, Secretariat
Chennai

.. Respondents

(R-15 *suo motu* impleaded *vide* order dt.6.2.23)

Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents 1 to 3 to initiate appropriate actions and dispose of the representation of the petitioner dated 12.09.2017 within a time to be fixed by this Court.

For Petitioner	: Mr.K.Sivasubramanian
For R1 to R5	: Mr.D.B.R.Prabhu Standing Counsel
For R6 to R14	: Mr.J.Hudson Samuel for M/s.Paul & Paul
For 15 th Respondent	: Mr.P.Gurunathan Addl. Govt. Pleader



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ORDER

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

The petitioner has come out with the present Writ Petition for a direction to the respondents 1 to 3 to dispose of the petitioner's representation dated 12.09.2017 and to initiate appropriate action.

2. Heard the learned counsels appearing for the parties and perused the entire materials on record.

3. Learned counsel appearing for the petitioner submitted that the petitioner is the owner of the property measuring 3844 sq.f.t in New S.No.24/1, Madhavaperumal South Street, Alandur, Chennai 600 016. With regard to the said property, a civil dispute is pending between the petitioner and the respondents 6 to 14. While so, the respondents 6 to 14 are constructing a building unauthorisedly in the subject matter of the property. Therefore, the petitioner sent a representation dated 12.09.2017 to the respondents 1 to 5 to take action against the unauthorised construction. Since no action has been taken on the said representation, the petitioner has come out with the present writ petition.



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4. Learned Standing Counsel appearing for the respondent Corporation submitted that on receiving the representation of the petitioner, notice has been issued to the respondents 6 to 14 under Sections 56 and 57 of the Tamil Nadu Town and Country Planning Act, 1971. Challenging the said notice, the respondents 6 to 14 have filed a revision under Section 80-A of the Act and the same is pending before the Government.

5. Learned Additional Government Pleader appearing for the 15th respondent submitted that the said revision is taken on file and enquiry is fixed on 26.03.2023 for appearance of the respondents 6 to 14.

6. The learned counsel appearing for the respondents 6 to 14 submitted that the respondents 6 to 14 will appear for enquiry before the Government on 26.03.2023.

7. Considering the above submissions, the 15th respondent is directed to dispose of the revision filed by the respondents 6 to 14 as expeditiously as possible, in any event, within two months from the



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date of receipt of a copy of this order. Further, the respondents 1 to 3 are directed to dispose of the petitioner's representation dated 12.09.2017, depending on the orders to be passed by the 15th respondent in the revision filed by the respondents 6 to 14.

With the above directions, the writ petition is disposed of.

No costs.

(V.M.V., J) (R.H., J)
20.02.2023

Index : Yes / No
Neutral citation : Yes/No
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