



WEB COPY



W.P.No.34757 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.01.2023

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

and

THE HONOURABLE MRS.JUSTICE R.HEMALATHA

W.P.No.34757 of 2022

P.R.Sree Ranjini

.. Petitioner

Vs.

1.The Commissioner,
Chennai Greater City Corporation,
Ripon Building, Chennai.

2.Executive Engineer,
Chennai Corporation (Zone-6),
Ayanavaram,
Chennai – 600 023.

3.Karunamuruthi

.. 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 1 & 2 to demolish the unauthorized construction of shed put up in the common passage running from the east to west on the northern side obstructing the ingress and egress to the petitioner's land situated at Door No.104/152, Meetu Street, comprised in Paimash No.980 T.S.No.84 in Block No.28 within Ayanavaram Village, Chennai – 600 023 based on the petitioner's representation dated 14.12.2022 to the respondents 1 & 2.



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For Petitioner : Mr.V.Balakrishnan
for Ms.D.Sri Devi

For RR 1 & 2 : Mr.D.B.R.Prabhu
Standing Counsel

ORDER

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

The petitioner has come out with the present Writ Petition for a direction to the respondents 1 & 2 to demolish the unauthorized construction of shed put up in the common passage running from east to west on the northern side, obstructing the ingress and egress to his land situated at Door No.104/152, Mettu Street, comprised in Paimash No.980, T.S.No.84 in Block No.28 within Ayanavaram Village, Chennai – 600 023, based on his representation dated 14.12.2022 to the respondents 1 & 2.

2.By consent of learned counsel appearing for the petitioner as well as Mr.D.B.R.Prabhu, learned Standing Counsel, who takes notice for the respondents 1 & 2, this Writ Petition is taken up for final disposal at the admission stage itself.

3.Heard the learned counsel appearing for the petitioner as well as the learned Standing Counsel appearing for respondents 1 & 2 and



perused the entire materials on record.

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4. According to petitioner, he is the owner of the property situated in Paimash No.980, T.S.No.84 in Block No.28, within Ayanavaram Village, Chennai to an extent of 2475 sq.ft. He having purchased the same from one R.Natarajan Naicker, by way of sale deed dated 11.12.2004 along with a common pathway to reach the said property. While so, the 3rd respondent along with grand daughter of the vendor had constructed a shed in the common pathway obstructing the ingress and egress of the petitioner's property. The 3rd respondent constructed the shed in the common pathway without obtaining any planning permission and approval from the respondents 1 & 2. Hence, the petitioner has sent a representation dated 14.12.2022 to the respondents 1 & 2. Since the respondents 1 & 2 have not taken any action on the said representation, the petitioner has come out with the present Writ Petition.

5. Considering the nature of relief sought for by the petitioner and the contention of the learned counsel appearing for the petitioner, the respondents 1 & 2 are directed to inspect the property in question within a period of two weeks from the date of receipt of a copy of this order,



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after issuing notice to the petitioner and 3rd respondent and if there any unauthorized shed is put up in the common pathway, take immediate action in accordance with law against the 3rd respondent and others, if any.

6. With the above directions, the Writ Petition is disposed of. No costs.

(V.M.V., J) (R.H., J)
03.01.2023

krk

Index : Yes / No
Internet : Yes / No

To

1. The Commissioner,
Chennai Greater City Corporation,
Ripon Building,
Chennai.

2. Executive Engineer,
Chennai Corporation (Zone-6),
Ayanavaram,
Chennai – 600 023.

V.M.VELUMANI, J.



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and

R.HEMALATHA, J.

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