



WP.No.16278/2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.06.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.S. SUNDAR

AND

THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

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V.C.Sathyanarayana

... Petitioner

Vs.

1.The Municipal Commissioner
Mangadu Municipality
Office of Mangadu Municipality
No.5 Vaikunda Perumal Kovil
Street, Mangadu, Chennai 600 122.

2.G.Palani

3.G.Udhayakumar

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of mandamus, directing the respondent to consider the petitioner's representation daetd 03.03.2023 within a time frame as may be fixed by this Court.



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For Petitioner : Ms.Rukmani Venugopalan

For R1 : Mr.R.Srinivas

ORDER

[Order of the Court was made by S.S.SUNDAR, J.,]

(1) Mr.R.Srinivas, learned Standing counsel accepts notice on behalf of the 1st respondent.

(2) This writ petition is filed for issuance of a writ of mandamus to direct the respondents to consider the petitioner's representation dated 03.03.2023.

(3) It is the case of the petitioner that the private respondents have created forged documents impersonating the petitioner and the petitioner has therefore, given a police complaint to take action for impersonation and for land grabbing. A further representation was submitted before the Municipal Commissioner to take action for unauthorised construction by private respondents. On the basis of the complaint which was given before the police regarding impersonation and forgery, the petitioner has given further representation to the 1st respondent herein to take action to prevent the construction by private respondents.



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(4) Except claiming title to the property in which private respondents are putting up construction, the petitioner has not made any allegation against the illegality in construction. In the absence of an allegation that the construction is without getting a planning permission or in violation of the planning permission, the contention of the petitioner for taking action for unauthorised construction by private respondents, cannot be countenanced. The petitioner is having an effective alternative remedy by approaching Civil Court for appropriate relief in case the contentions of the petitioner are true.

(5) In the present case, this Court finds no *bona fides*. Therefore, this Court is not inclined to entertain this writ petition.

(6) Hence, the writ petition stands **dismissed**. No costs.

[S.S.S.R., J.] [N.S., J.]
24.06.2024

AP

Internet : Yes

To

The Municipal Commissioner

Mangadu Municipality

Office of Mangadu Municipality

No.5 Vaikunda Perumal Kovil Street, Mangadu, Chennai 600 122.



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S.S. SUNDAR, J.,
and
N.SENTHILKUMAR, J.,

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