



DATED : 08.05.2024

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

THE HONOURABLE MRS.JUSTICE R.KALAIMATHI

W.P.No.13086 of 2024

.. Petitioner

Vs.

4. The Assistant Executive Engineer,
Corporation of Chennai,
Zone I, Thiruvottiyur, Chennai – 600 019.

.. Respondents



W.P.No.13086 of 2024

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing respondents 1 to 4 to take action against the unauthorized construction put up by the 5th respondent herein, at the land comprised in S.No.237/1 part, Ward H, Block 24, T.S.No.38 situated at Door No.2, South Mada Street, Thiruvottiyur Village, Zone I, Greater Chennai Corporation, by considering the petitioner's representation dated 02.04.2024.

For Petitioner	:	M/s.S.P.Meenakshi Sundharam
For R1	:	Mr.R.Sivakumar Standing Counsel for CMDA
For RR 2 to 4	:	Mr.D.B.R.Prabhu Standing Counsel

ORDER

[Order of the Court was made by A.D.JAGADISH CHANDIRA, J.,]

By consent of both the parties, this Writ Petition is taken up for final disposal at the admission stage itself.

2. This Writ Petition is filed for a direction to respondents 1 to 4 to take action against the unauthorized construction put up by the 5th



W.P.No.13086 of 2024

respondent by considering the representation of the petitioner dated 02.04.2024.

3.Learned counsel for the petitioner submitted that the 5th respondent is the absolute owner of the property situated at S.No.237/1 part, Ward H, Block 24, T.S.No.38, situated at Door No.2, South Mada Street, Thiruvottiyur Village, Zone 1, Greater Chennai Corporation and without obtaining planning permission and without taking any safety measures, she is proceeding with the construction of multi specialty hospital in the aforesaid property. Hence, the petitioner has given a representation dated 02.04.2024 to respondents 1 to 4 to take action against the 5th respondent. Since no action was taken by them on the petitioner's representation dated 02.04.2024, the petitioner has come out with the present Writ Petition.

4.Learned Standing Counsel for the 1st respondent as well as the learned Standing Counsel for respondents 2 to 4 would submit that the representation dated 02.04.2024 of the petitioner will be considered and necessary orders will be passed within a time frame.



W.P.No.13086 of 2024

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5. Considering the nature of relief sought for in the Writ Petition and the submissions made on either side, without deciding the issue on merits, respondents 1 to 4 are directed to consider the representation of the petitioner dated 02.04.2024 and pass orders on merits and in accordance with law, after affording due opportunity of hearing to the petitioner as well as 5th respondent, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

6.The Writ Petition is disposed of with the above directions. No costs.

(A.D.J.C.,J.) (R.K.M.,J.)
08.05.2024

Index : Yes / No
Neutral Citation : Yes / No
Speaking / Non-speaking

kj/mmi



W.P.No.13086 of 2024

To

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- 1.The Member Secretary,
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Building,
No.1, Gandhi Irwin Road,
Egmore, Chennai – 600 008.
- 2.The Commissioner,
Corporation of Chennai,
Park Town, Chennai – 600 003.
- 3.The Assistant Commissioner / Zonal Officer,
Corporation of Chennai,
Zone I, Thiruvottiyur,
Chennai – 600 019.
- 4.The Assistant Executive Engineer,
Corporation of Chennai,
Zone I, Thiruvottiyur,
Chennai – 600 019.



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W.P.No.13086 of 2024

A.D.JAGADISH CHANDIRA, J.,
and

R.KALAIMATHI, J.,

kj/mmi

W.P.No.13086 of 2024

08.05.2024