



W.P.No.13112 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.05.2024

CORAM

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA
and

THE HONOURABLE MRS.JUSTICE R.KALAIMATHI

W.P.No.13112 of 2024
and W.M.P.No.14264 of 2024

S.Amsa

.. Petitioner

Vs.

1. The District Collector,
Chennai District, Rajaji Salai,
IV floor, 62, Beach Road,
George Town, Chennai,
Tamil Nadu-600 001.

2. The Commissioner,
Corporation of Greater Chennai,
Rippon Buildings, Chennai-600 003.

3. The Haazrath Neelam Basha Bargha and Masjid Waqf,
Represented by Hereditary Muthawalli,
G Gulab Ali Sha Kaderi,
Having Office at Neelam Basha Bargha, Triplicane,
Chennai-5.

..Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus directing the 2nd respondent to take action against the 3rd respondent for having put up illegal and unauthorized construction being the arch at the entrance of Neelam Basha Dargha, Triplicane, Chennai-05 and also for demolition of the said construction and restore to its original position.

For Petitioner : Mr.C.P.Sivamohan
For R1 : Mr.M.Muthusamy, Govt. Advocate
For R2 : Mr.D.B.R.Prabhu, Standing Counsel

ORDER

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

By consent of learned counsel for the petitioner as well as the learned Government Advocate for the 1st respondent and the learned Standing Counsel for the 2nd respondent, the writ petition is taken up for final disposal at the admission stage itself.

2. Writ Petition is filed for a direction to the 2nd respondent to take



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action against the 3rd respondent for having put up illegal and unauthorized arch at the entrance of Neelam Basha Dargha, Triplicane, Chennai-05 and also for demolition of the said construction and restore to its original position.

3. According to the petitioner, she is a resident of Neelam Basha Dargha, Triplicane, Chennai-05. An illegal and unauthorised arch is being under construction by the 3rd respondent Dargha at the entrance of the said Dargha. In order to prevent further construction of the arch and demolition of the same, the petitioner sent a legal notice dated 24.03.2024 to respondents 1 & 2. Since respondents 1 & 2 did not respond, the petitioner sent a representation dated 22.04.2024 to them. The said representation is not disposed of so far and hence, this writ petition.

4. Both the learned Government Advocate appearing for the 1st respondent and the learned Standing Counsel appearing for the 2nd respondent submitted that the representation of the petitioner will be considered and orders will be passed within the time frame fixed by this



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Court.

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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 & 2 are directed to consider the representation of the petitioner dated 22.04.2024 and pass orders on merits and in accordance with law, after affording due opportunity of hearing to the petitioner as well as any of the interested parties, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

6.With the above direction, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

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

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

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To

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A.D.JAGADISH CHANDIRA, J.,
and



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R.KALAIMATHI,J.

Kj/mmi

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