



WEB COPY



WP No. 13200 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.05.2024

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

AND

THE HON'BLE MRS. JUSTICE R. KALAIMATHI

W.P.No. 13200 of 2024
and W.M.P.No.14352 of 2024

K.Ilayaraja

Versus

.. Petitioner

1.The Chairman and Managing Director
Tamil Nadu Police Housing Society
132, EVR Salai
Kilpauk, Chennai – 600 010

2.The Joint Commissioner
East Zone
Office of the Commissioner of Police
EVR Sampath Salai
Vepery, Chennai – 600 007

3.The Commissioner of Police
Office of the Commissioner of Police
EVR Sampath Salai
Vepery, Chennai – 600 007

4.The Inspector of Police
(Law and Order)
E1 Police Station
Mylapore, Chennai – 600 004



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5.Jayalakshmi

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to consider the representation of the petitioner dated 10.04.2024 by directing the 5th respondent to remove the encroached area in and around the quarters in the ground floor area of 'A' Block, Sub Inspector Police Quarters, Kutchery Road, Mylapore, Chennai – 600 004.

For Petitioner : Mr.C.Umashankar

For Respondents : Mr.A.Gokulakrishnan for R1 to R4
Additional Public Prosecutor

ORDER

(Made by **A.D.JAGADISH CHANDIRA, J.**)

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

2. The Writ Petition is filed by the petitioner seeking direction to the respondents 1 to 4 to remove the encroached area in and around the quarters in the ground floor area of 'A' Block, Sub Inspector Police Quarters, Kutchery Road, Mylapore, Chennai – 600 004.

3. It is the case of the petitioner that he is residing in first floor portion in No.4, A Block, Sub Inspector Police Quarters and the fifth respondent is residing



in the ground floor portion. The 5th respondent has fenced the entire rear side portion and also put up a gate with lock which has caused hindrance to the petitioner and the other occupants to enter into common area. Hence, the petitioner has given representation to the respondents 1 to 4 to remove the encroachment in and around the ground floor area at A Block, Sub Inspector Police Quarters, Kutchery Road, Mylapore, Chennai, which is pending without consideration till date.

4. Since no adverse order is passed against the fifth respondent, notice to the fifth respondent is dispensed with.

5. When the matter was taken up, the learned Additional Public Prosecutor submitted that the authorised officer to deal with the affairs is Assistant Commissioner (Welfare and Estate) and the petitioner has sent the representation to the respondents 1 to 4. Hence, submitted that if a fresh representation is given to Assistant Commissioner (Welfare and Estate), the same will be considered and orders will be passed on merits within a reasonable time fixed by this Court.

6. Heard both sides and perused the materials placed on record.



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7. Considering the limited relief sought for in this writ petition, this Court without going into the merits of the case directs the petitioner to submit a fresh representation to the Assistant Commissioner (Welfare and Estate) within a period of one week and the Assistant Commissioner (Welfare and Estate) shall after issuing notice to the interested parties, pass appropriate orders on merits and in accordance with law, within a period of 12 weeks thereafter.

8. In view of the above, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

[A.D.J.C., J.] [R.K.M., J.]
08.05.2024

dhk/vrc
Internet : Yes
Index : Yes/No
Neutral Citation : Yes/No



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A.D.JAGADISH CHANDIRA, J.
and
R. KALAIMATHI, J.

dhk

WP No.13200 of 2024

08.05.2024