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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.11.2024

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THE HON'BLE Mr. JUSTICE **C.V.KARTHIKEYAN**

W.P.No.16713 of 2020
and W.M.P.Nos.20729 & 20732 of 2020

B.Shyamala

.. Petitioner

Vs.

1.The Commissioner,
Corporation of Greater Chennai,
Ripon Buildings,
Park Town,
Chennai – 600 003.

2.The Superintending Engineer,
Zonal Office-X,
Greater Chennai Corporation,
No.117, NSK Salai,
Kodambakkam,
Chennai 600 024.

3.Kanimozhi

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the records pertaining to the issue of notices (1) Notice No.ZONE-X/TPENF/8300/2020 in connection with the property in Door No.39/16, Annamalai Nagar 1st Street, Mettupalayam, West Mambalam, Chennai 600 033 and (2) Notice No.ZONE-X/TPENF/8300A/2020 in connection with



property in Door No.37/15, Annamalai Nagar 1st Street, Mettupalayam, West Mambalam, Chennai 600033 duly issued by the Corporation Zonal Office-X, Greater Chennai Corporation, No.117 N.S.K.Salai, Kodambakkam, Chennai 600024 the 2nd Respondent herein dated 01.10.2020 and quash the same.

For Petitioner .. Mr.D.Ashok Kumar
For Respondents .. Ms.P.T.Ramadevi
Standing Counsel for R1 & R2

ORDER

This writ petition has been filed in the nature of certiorari seeking records with respect to the notices relating to Door No.39/16, Annamalai Nagar, 1st Street, Mettupalayam, West Mambalam, Chennai 600 033 and Door No.37/15, Annamalai Nagar, 1st Street, Mettupalayam, West Mambalam, Chennai 600033 which had been issued by the Zonal Office-X, Greater Chennai Corporation, both dated 01.10.2020 and to quash the same.

2.Both the notices were been issued on the premise that both afore mentioned premises viz., Door No.39/16, Annamalai Nagar, 1st Street, Mettupalayam, West Mambalam, Chennai 600 033 and Door No.37/15, Annamalai Nagar, 1st Street, Mettupalayam, West Mambalam, Chennai 600033, in the same address, are in a dilapidated condition.



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3. The learned counsel for the petitioner stated that the petitioner has now repaired both the buildings and that they are now stable. But the respondents have a duty to examine whether the buildings are stable and would not be of danger to either the residents or the passersby. The petitioner may therefore produce all the relevant records relating to repair of the building, stability of the building and present himself before the 2nd respondent, Superintending Engineer, Zonal Office-X, Greater Chennai Corporation and the 2nd respondent may examine the documents and if required conduct an inspection of the building with independent Engineers of the Corporation and come to a conclusion on subjective satisfaction about the stability of aforesaid mentioning buildings.

4. The petitioner is directed to approach the 2nd respondent with all the relevant documents and on or before 29.11.2024 and thereafter, the 2nd respondent may proceed further and in the manner known to law.

5. This writ petition stands disposed of accordingly. No Costs. The two notices shall be kept in abeyance and if the 2nd respondent is of the opinion that the building still requires any construction to be put by way of rectification, the notice



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C.V.KARTHIKEYAN,J.

SSR

will be reissued, if not the notices may be withdrawn. Consequently, connected miscellaneous petitions are closed.

11.11.2024

Index: Yes/No

Internet: Yes/No

Speaking Order/Non-Speaking Order

Neutral Citation: Yes/No

ssr

To

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