



WEB COPY

W.P.No.19874 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.07.2024

CORAM:

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.19874 of 2024
and WMP.No.21753 of 2024

S.Malathi

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Petitioner

versus

The Commissioner
Corporation of Greater Chennai
Ribbon Buildings,
Chennai – 3.

2.The Zonal Officer
Corporation of Greater Chennai
Zonal Office -6
No.158, Stahans Road,
Chennai -12.

3.The Assistant Engineer
Corporation of Greater Chennai
Zone -6, 3rd Circular Road,
Jawahar Nagar, Peravallur
Chennai -82.

4.L.Veeraraghavan

5.Nalina

...

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 1 to 3 to reject the permission petition submitted by the respondents 4 & 5 to demolish the residential building situated at Old Door No.25/2, New Door



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No.3/2, First Main Road, Ram Nagar, Peravallur, Chennai -82 in Old RS.No.202, TS.No.1/12, S.No.195/Part, 202/Part as per patta as per the petitioner's representation dated 07.06.2024.

For Petitioner : Mr.M.Tamizavel
For Respondents : Mr.E.C.Ramesh,
Standing Counsel for R1 to R3.

ORDER

By consent of both sides, this Writ Petition is disposed of at the stage of admission itself.

This Writ Petition has been filed praying for issuance of a Writ of Mandamus, directing the respondent 1 to 3 to reject the permission petition submitted by the respondents 4 & 5 to demolish the residential building situated at Old Door No.25/2, New Door No.3/2, First Main Road, Ram Nagar, Peravallur, Chennai - 82 in Old RS.No.202, TS.No.1/12, S.No.195/Part, 202/Part as per patta as per the petitioner's representation dated 07.06.2024.

2. Heard the learned counsel appearing for the petitioner and the learned standing counsel appearing for the respondents 1 to 3.



3. It is the case of the petitioner is the absolute owner of the property.

The 4th respondent who is the husband of the 5th respondent sent a letter dated 03.06.2024 to the petitioner stating that he is going to demolish the existing building and to raise new building, informing the petitioner to take precautionary steps within a period of 15days from causing damage. The petitioner sold the above property measuring 1605 sq.ft to one V.Ramachandran and there is a promise bond dated 22.06.2011 entered into between the petitioner and the said purchaser. The 5th respondent has given petition for permission for demolishing the residential building. Now, the petitioner has sent a representation dated 07.06.2024 to the respondents 1 to 3 requesting to reject the petition seeking permission to demolish the residential building belonging to the 5th respondent. The respondents have not taken any action based on the representation of the petitioner. Hence, the present petition.

4. Considering the limited nature of the relief sought for in the present Writ Petition, there shall be a direction to the respondents 1 to 3 to consider the representation of the petitioner's dated 07.06.2024 and pass appropriate orders, after giving notice to the respondents 4 & 5 and any other interested



persons, within a period of eight weeks from the date of receipt of a copy of this order.

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5. This Writ Petition is disposed of accordingly. No costs.

Consequently, connected miscellaneous petition is closed.

18.07.2024

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

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To
The Commissioner
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V.BHAVANI SUBBAROYAN, J.

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