



WP No.23997 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 21.08.2024

CORAM:

THE HON'BLE MR.D. KRISHNAKUMAR, ACTING CHIEF JUSTICE
AND

THE HONOURABLE MR.JUSTICE P.B. BALAJI

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Kartic Dev Apartment Owner's Welfare Association,
Represented by its Secretary
Mr.N.Krishna Kumar

... Petitioner

versus

- 1.The Commissioner,
Greater Chennai Corporation,
Ripon Building,
Chennai-600 003.
- 2.The Zonal Officer,
Greater Chennai Corporation -Zone No.9
8, 4th Cross Street, Lake Area,
Nungambakkam,
Chennai- 600 034.
- 3.Chennai Metropolitan Development,
Thalamuthu-Natarajan Maaligai,
No.1, Gandhi Irwin Road,
Egmore, Chennai- 600 008.



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4.SKS Veterinary Hospital,

Represented by its Managing Director Dr.V.Arun,
198-A, Basement, Kartic Dev Apartments

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for the issuance of a writ of Mandamus, directing the respondents to consider representations dated 27.10.2023 and 27.01.2024 and conduct a detailed enquiry and restore the car park to its primary state and pass orders.

For the Petitioner

:Mr.C.Kaveen

For the Respondents

:Mr.DB.R.Prabhu
Standing Counsel
for Corporation
for respondents 1 and 2

Mr.R.Thamaraiselvan
Standing Counsel
for CMDA
for third respondent



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ORDER

(Made by the Hon'ble Acting Chief Justice)

The writ petition is filed for a direction to the respondents to consider representations dated 27.10.2023 and 27.01.2024 and conduct a detailed enquiry and restore the car park to its primary state.

2. The petitioner has made a representation dated 27.10.2023 to the third respondent CMDA for taking action against the SKS Veterinary hospital for illegally occupying the basement of petitioner's apartment which is primarily a car parking space for the residents and the common area of the said apartment. Since no action has been taken, the petitioner has filed the present writ petition.

3. Considering the limited scope of the prayer as sought for in the present writ petition, without going into merits of the case, we direct the third respondent to consider the representation dated 27.10.2023 of the petitioner, on merits and in accordance with law and pass orders after giving



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opportunity to the parties concerned, as early as possible, within a period of twelve weeks from the date of receipt of a copy of this order.

4. With the above directions, the writ petition stands dispose of.

There shall be no order as to costs.

(D.K.K., ACJ.) (P.B.B., J.)
21.08.2024

Index : Yes/No
Neutral Citation : Yes/No
mrn



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THE HON'BLE ACTING CHIEF JUSTICE

and

P.B. BALAJI, J.

(mrn)

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