

26.03.2025
Sl. No. 57
Ct No. 3
SG

WPA 2671 of 2025

**Tapan Mullick & Ors.
Vs
The Municipal Commissioner,
Kolkata Municipal Corporation & Ors.**

Mr. Lalratan Mondal,
Mr. Munshi Mijanur Rahaman.
...for the petitioners

Mr. Debnarayan Patra,
Ms. Suchana Banerjee.
...for the State

Mr. Gopal Chandra Das,
Mr. Debanjan Mukherjee,
Ms. Ananya Das.
..for KMC

1. The petitioner has preferred the present writ petition alleging illegal and unauthorized construction at premises no. 34B, Darpanaran Tagore Street, Ward No. 21, Borough – IV, P.S. Jorabagan, Kolkata – 700006.

2. Learned Counsel for the petitioners alleged that the property in question is the ancestral property of the petitioners and they have mutated their names in the records of the Kolkata Municipal Corporation as the owners thereof and paying the rates and taxes for the said premises to the Kolkata Municipal Corporation regularly. It is the respondent no. 5 who is in illegal occupation of one room on the ground floor of the said premises. It is also alleged that the respondent no. 5,

has started unauthorized and illegal construction at a portion of the said premises and also making repairing work by removing bricks from some parts of the existing structure of the said premises without any permission of the respondent authorities. Learned Counsel for the petitioners further contended that they had made a representation dated 09.12.2024 before the concerned municipality and requesting the concerned authority to stop the said unauthorized construction and to take appropriate legal steps against the respondent no. 5.

3. Learned Counsel for the respondent-Kolkata Municipal Corporation submits that they are ready and willing to decide petitioner's representation dated 09.12.2024

4. In view of the said statement, learned Counsel for the petitioner's state that the present writ petition can be disposed of with a direction to the concerned authority to decide their representation.

5. This Court directs the Executive Engineer (Building), Kolkata Municipal Corporation, Ward No. 21, Borough – IV, 22, Surya Sen Street, Kolkata-700012 to decide petitioner's representation dated 09.12.2024 within a period of four weeks from the date of communication of this order after affording an

opportunity of personal hearing to the petitioners as well as the private respondent No. 5.

6. With the above direction, the present writ petition is disposed of.

7. There shall be no order as to costs.

8. Let urgent Photostat certified copy of this order, if applied for, be supplied to the parties on usual undertaking.

(Gaurang Kanth, J.)