



WEB COPY

WP.No.20463 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.06.2025

CORAM

THE HONOURABLE MRS. JUSTICE J.NISHA BANU

AND

THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

W.P.No.20463 of 2025

Anil Kumar Ojha,
S/o Late Shri Sohanlalji Ojha

...Petitioner

Vs.

1. The Chennai Metropolitan Development
Authority, Thalamuthu - Natarajan Maaligai,
No.1, Gandhi Irwin Road,
Egmore, Chennai - 600 008.
2. The Commissioner,
Greater Chennai Corporation,
Chennai - 600 003.
3. The Zonal Executive Engineer (Zone-VIII),
Door No.368, 2nd Cross Street,
Pulla Avenue, Shenoy Nagar,
Chennai - 600 030.
4. Sunil Nahar,
Prathamesh Apartment,
Flat No.GB, Old No.2, New No.5,
Lakshmi Street, Kilpauk,
Chennai - 600 010.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Mandamus to direct the 1 to 3 respondent to take actions on the petitioner's complaint dated 29.04.2025 and remove the unauthorized constructions made by the 4th respondent in the common



area and parking area which is morefully described in the schedule mentioned property within the time stipulated by this Court.

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For Petitioner : Mr.G.Uma Maheswari

For Respondents : Mr.Akil Abbar Ali for R1
Mr.D.B.R.Prabu,
Standing Counsel for R2

ORDER

This writ petition has been filed to direct the 1st to 3rd respondents to take action on the petitioner's complaint dated 29.04.2025 and remove the unauthorized constructions made by the 4th respondent in the common area and parking area which is morefully described in the schedule mentioned property within the time stipulated by this Court.

2. The case of the petitioner is that he is residing in Prathamesh Apartment since 1999. The apartment contains 8 flats and there are 3 floors. The 4th respondent purchased a flat in the ground floor in the said apartment in the year 2022 and has illegally constructed a bathroom in the backside (southern side) of the Apartment and also has constructed an unauthorized staircase along with wooden door on the eastern side of the apartment which is a common area. The petitioner had given several complaints to the 1st and 2nd respondents, but so far, no action was taken as against the 4th respondent. The last complaint was sent by the petitioner to the 2nd respondent on 29.04.2024. Since no action was taken,



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the present writ petition has been filed.

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3. Heard the learned counsel for the petitioner, the learned Standing Counsel appearing for the 1st and 2nd respondents and perused the materials available on record.

4. Considering the submissions made by the learned counsel for the petitioner, we are of the opinion that it would be suffice if the 2nd respondent is directed to dispose of the complaint of the petitioner dated 29.04.2025. Accordingly, without going into the merits of the claim made by the petitioner in the writ petition, we direct the 2nd respondent to consider the petitioner's complaint dated 29.04.2025 and pass orders on the same on merits and in accordance with law, after giving opportunity to the petitioner as well as the 4th respondent and to take appropriate action in the manner known to law within a period of eight weeks from the date of receipt of a copy of this order. Accordingly, the Writ Petition is disposed of. No costs.

[J.N.B.,J.] [M.J.R.,J.]
10.06.2025

vsi
Speaking order/Non-speaking order
Neutral Citation: Yes/No



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J.NISHA BANU,J.
AND
M.JOTHIRAMAN,J.

vsi

To

1. The Chennai Metropolitan Development Authority, Thalamuthu - Natarajan Maaligai, No.1, Gandhi Irwin Road, Egmore, Chennai - 600 008.
2. The Commissioner, Greater Chennai Corporation, Chennai - 600 003.
3. The Zonal Executive Engineer (Zone-VIII), Door No.368, 2nd Cross Street, Pulla Avenue, Shenoy Nagar, Chennai - 600 030.

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