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WP No. 23015 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-06-2025

CORAM

THE HONOURABLE MRS.JUSTICE N. MALA

WP. No. 23015 of 2025

Dr.S.Rajeshwari RajanPetitioner

Vs

1.The Commissioner

Greater Chennai Corporation Of Madras Rippon Buildings,
Chennai 600003

2. The Zonal Officer

Zone IX Greater Chennai Corporation Of Chennai 1, 4th Cross Street (lake
Area)(nearby Tennis Stadium) Nungambakkam, Chennai 600034

3. The Executive Engineer (zonal)

The Greater Chennai Corporation Of Chennai, Zonal -9, 1, 4th, Cross Street (lake
Area)(nearby Tennis Stadium) Nungambakkam, Chennai 600034

4. The Assistant Executive Engineer

The Greater Chennai Corporation Of Chennai, Zonal -9, 1, 4th, Cross Street (lake
Area)(nearby Tennis Stadium) Nungambakkam, Chennai 600034

5. S. Vijaya Respondent(s)

PRAYER: Writ Petition is filed under Article 226 of the Constitution for issuance of a Writ of Mandamus to direct the respondents 2 to 4 to take necessary immediate action by issuing an order of demolition and reconstruction of the petitioner's building situated at Old Door No.46, New Door No.6, Ajeezulk First Street, Thousand Light, Chennai – 600006 on the basis of the petitioner's representation dated 30.08.2024.

For Petitioner(s): Mr.M.Saravanakumar

For Respondent(s): Mr.D.B.R.Prabhu, St.C. For R1 To R4



ORDER



This Writ Petition is filed seeking a Writ of Mandamus to direct the respondents 2 to 4

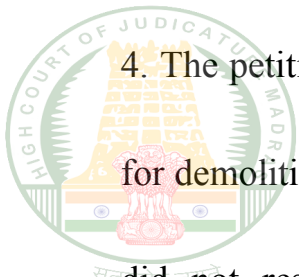
to take necessary immediate action by issuing an order of demolition and reconstruction

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of the petitioner's building situated at Old Door No.46, New Door No.6, Ajeezulk First Street, Thousand Light, Chennai – 600006 on the basis of the petitioner's representation dated 30.08.2024.

2. The petitioner states that he is a co-owner of the property comprised in Survey No.96, T.S.No.44/58, Block No.9, situated at Thousand lights, Egmore-Nungambakkam Taluk, Chennai. While so, the first respondent who is the young sister of the petitioner claimed exclusive right to the aforesaid property under the settlement deed dated 26.07.2017, executed by the petitioner's mother, in her favour.

3. The petitioner states that the building is more than 60 years old and is in a dilapidated condition. The petitioner apprehending that the building would collapse at any time, decided to demolish and re-construct the said building at the earliest. The petitioner being a Doctor by profession, was not able to manage and administer the building and therefore, the petitioner appointed a power agent, namely Mr.Gopinath, to manage the building and also to obtain necessary approval for the demolition and re-construction of the building from the respondents 2 to 4.



4. The petitioner submitted a detailed representation on 19.08.2024, to the respondents

for demolition of the building which was in a dilapidated condition. As the respondents

did not respond, the petitioner submitted another representation with supporting

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documents on 30.08.2024, but even thereafter no action was taken by the respondents.

Hence, the petitioner filed the above petition for the above stated relief.

5. Learned counsel for the petitioner submitted that he would restrict the prayer for a

direction to the respondents 2 to 4, to consider the petitioner's representation dated

30.08.2024 and pass orders within a time stipulated by this court.

6. Learned counsel further prayed that an adequate opportunity may be given to the

petitioner as well as the 5th respondent while considering the representation.

7. Heard both sides. As no adverse orders are passed against the 5th respondent, the writ

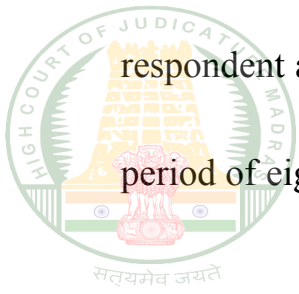
petition is disposed at the admission stage without notice to the 5th respondent.

8. Considering the facts and circumstances of the case and in view of the limited prayer

of the learned counsel for the petitioner, without going into the merits of the case, a

direction is issued to the 3rd respondent, to consider the petitioner's representation dated

30.08.2024, by affording an opportunity of hearing to both the petitioner and the 5th



respondent and thereafter to pass orders on merits and in accordance with law, v

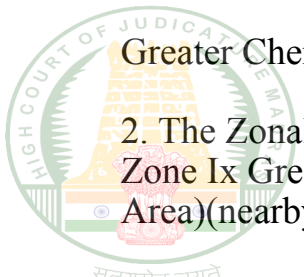
period of eight weeks from the date of receipt of a copy of this order.

9. In the result, this Writ Petition is disposed of with the above direction. No costs.

26-06-2025

Index : Yes/No
Speaking/Non-speaking Order
Neutral Citation: Yes/No

To
1. The Commissioner



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5. S. Vijaya

D/o Subramaniam Old No 56, Ne W No 6 Ajeez Mulk 1st Street, Thousand Lights Chennai 600006

N. MALA.,J

gv



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