



W.P.No.38467 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.02.2025

CORAM :

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

Writ Petition No.38467 of 2024
and W.M.P.No.41656 of 2024

- 1.B.Karthigah
- 2.Avila Theresa
- 3.D.Balagangadhara Thilagar
- 4.Radha Suresh
- 5.T.Suresh

... Petitioners

Vs.

- 1.The Commissioner,
Greater Chennai Corporation,
Ripon Buildings, Chennai – 600 003.
- 2.The Executive Engineer,
Greater Chennai Corporation,
36-G, Pulla Avenue, Shenoy Nagar,
Chennai – 600 040.
- 3.The Tamil Nadu Housing Board,
Rep. by its Secretary,
Anna Salai, Nandanam,
Chennai – 600 035.
- 4.N.Indira
- 5.N.Lakshmi Kanthan

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India,



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praying for issuance of Writ of Mandamus directing the respondents 1 and 2 to consider the representations dated 13.10.2022 and 10.08.2023 given by the petitioners and issue appropriate orders by granting permission to demolish the existing old dilapidated superstructure situated at B Block No.18, Manthope Colony, 46th Street, Ashok Nagar, Chennai – 83.

For Petitioners : Mr.T.Thiageswaran

For Respondents 1 & 2 : M/s.K.Aswini Devi,
Standing Counsel

For Respondent 3 : Mr.D.Veerasekaran

ORDER

The petitioners have filed this petition to direct the respondents 1 and 2 to consider the representations dated 13.10.2022 and 10.08.2023 given by the petitioners and issue appropriate orders by granting permission to demolish the existing old dilapidated superstructure situated at B Block No.18, Manthope Colony, 46th Street, Ashok Nagar, Chennai – 83.

2. The case of the petitioners is that the petitioners are the owners of housing board flat situated at Block No.H-18, A, B, C and E at Manthope Colony, No.46th Street, Ashok Nagar, Chennai – 600 083. At present the said



building is in dilapidated condition and therefore, the petitioners negotiated with the Builder, M/s.Anjanakrishnaa Constructions Private Limited to demolish the existing superstructure and to construct flats in the said land. The respondents 4 & 5, one of the residence the said flat (Block H-18-D & H-18-F) assured with the petitioners that they will also join with the development of the flat with the aforesaid builder. However, they neglected to co-operate with the petitioners to re-develop the property. Hence, the petitioners have sent a representations to the respondents 1 & 2 on 13.10.2022 and 10.08.2023 respectively. However, the same was not considered till date. Hence, the petitioners have come forward with the present writ petition.

3. Though many grounds have been raised in this writ petition, learned counsel for the petitioners submitted that, it would suffice if this Court issues direction to the respondents 1 to 2 to consider the petitioners' representation dated 13.10.2022 and 10.08.2023 and pass appropriate orders on merits and in accordance with law, within a particular time frame to be fixed by this Court.



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4. Learned standing counsel appearing for the respondents 1 & 2 has no objection for the said order being passed by this Court.

5. Heard the learned counsel on either side and perused the materials placed on record.

6. Taking into consideration the factual aspects of the matter, this Court without going into the merits of the case, directs respondents 1 and 2 to consider the petitioners' representation dated 13.10.2022 and 10.08.2023 and pass appropriate orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

7. This writ petition is disposed of with the aforesaid observation and direction. No costs. Consequently, connected miscellaneous petition is closed.

07.02.2025



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Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No

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