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W.P.No.2285 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2025

CORAM

THE HON'BLE MR.JUSTICE **J.SATHYA NARAYANA PRASAD**

W.P.No.2285 of 2025

E.Annamalai

... Petitioner

vs.

1. The District Collector,
Kancheepuram 631 501.
2. The Revenue Divisional Officer,
District Collectorate Campus,
Kancheepuram Municipality 631 502.
3. The Commissioner,
Kancheepuram City Municipal Corporation,
Hospital Road, Kancheepuram District.

4.Thenmozhi

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus directing the third respondent to consider the representation of the petitioner dated 06.03.2023 and pass orders within a stipulated time framed by this Court.



W.P.No.2285 of 2025

For Petitioner : M/s.S.Manjula
For R1 & R2 : M/s.R.L.Karthika
Govt.Advocate
For R3 : Mr.RA.Gopinath
Standing Counsel

ORDER

By consent, the Writ Petition is taken up and disposed of at the admission stage itself.

2. The present writ petition has been filed to issue a writ of mandamus directing the directing the third respondent to consider the representation of the petitioner dated 06.03.2023 and pass orders within a stipulated time framed by this Court .

3. It is the case of the petitioner that he had purchased the land along with a building constructed thereon situated at No.100/154A, Kamatchi Amman Kovil Street, Kancheepuram from five members vide registered sale deed in Doc.No.608 of 1997. Subsequently, he constructed the said property and was staying for the past 23 years. Thereafter, the 4th respondent who owns a house which is located adjoining on the western



W.P.No.2285 of 2025

side of his house. The fourth respondent while she had constructed her house at the above said property had inserted 5 inches roof into the western side wall of the petitioners which resulted in seeping of drainage, sullage and bathroom water to his house through the above said western wall portion. As a result of which, the above said drainage and bathroom water were being let out through a single pipe and the same were spread to the living room and other rooms of his house. Due to the above said unlawful act of the tenant of the fourth respondent, the petitioner and his family members were forced to face the health issues. Hence, the petitioner sent a representation dated 06.03.2024 to the third respondent to remove the pipeline through his house. Again, he sent a representation dated 27.03.2023 to the first respondent. Thereafter, he lodged a complaint against the tenant of the fourth respondent. Based on which, the Inspector of Police had enquired the family of the fourth respondent and on enquiry, they agreed to remove the RCC building portion to an extent of 6 inches and thereby prevent the letting of the above said drainage and bathroom water within 50 days. Thereafter, they did not remove the same. However, the petitioner sent several representations along with document to the respondents and the same were not considered till date. Hence, the



W.P.No.2285 of 2025

petitioner has filed the present writ petition.

WEB COPY

4. The learned counsel appearing for the petitioner submitted that the representation of the petitioner dated 16.12.2023 to the third respondent and the same was not considered or disposed by the third respondent till date.

5. The learned Standing Counsel appearing for the third respondent Corporation submitted that the representation of the petitioner dated 06.03.2023 will be considered by the third respondent on merits in accordance with law , within a time frame fixed by this Court.

6. Heard the learned counsel appearing on either side and also perused the materials available on records.

7. In view of the submissions made by the learned counsel on either side, the third respondent is directed to consider the representation of the petitioner dated 06.03.2023 after giving due notice to the petitioner as well as the interested parties, affording opportunity of personal hearing, on



W.P.No.2285 of 2025

merits, in accordance with law and pass appropriate orders, within a period of eight weeks from the date of receipt of a copy of this order.

8. This writ petition stands disposed of with the above direction.

No costs.

03.02.2025

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

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2. The Revenue Divisional Officer,
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J.SATHYA NARAYANA PRASAD, J.



WEB COPY



W.P.No.2285 of 2025

kkd

W.P.No.2285 of 2025

03.02.2025