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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.07.2025

CORAM:

THE HONOURABLE MRs. JUSTICE N.MALA

W.P.No.24717 of 2025

and WMP.No.27875 of 2025

Dr.N.Sridhar .. petitioner

vs

1.The Executive Engineer Zone -9
Greater Chennai Corporation
No.4, 4th Cross Street, Lake view Road
Nungambakkam, Chennai – 34.

2.The Commissioner
Greater Chennai Corporation
Ripon Building Chennai – 600 003.

3.The Deputy Commissioner Of Police
Mylapore District – Greater Chennai Police
off Kuttcherry road, Mylapore
Chennai – 600 004.

4.The Chief General Manager
BSNL Chennai Telephones
78, Puraswakkam High Road
Chennai – 600 010.

… Respondents

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Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the first respondent to remove the dangerous structure at BSNL Quarters, CIT Colony, 2nd Main Road, Mylapore, Chennai – 4 that is blocking air and light in to the petitioner's home.

For Petitioner : Mr.Sanjay Pinto
For Respondents : Mr.D.B.R.Prabhu, Standing counsel for R1 & R2
Mr.Subbiah, GA (crl.side) for R3.

O R D E R

This writ petition is filed for a direction to the first respondent to remove the dangerous structure at BSNL Quarters, CIT Colony, 2nd Main Road, Mylapore, Chennai – 4, which is blocking air and light in to the petitioner's residence.

2. The petitioner is a Doctor by profession and the Head of the Intensive Care Unit in a Corporate hospital in Chennai. The petitioner recently constructed an independent house in CIT Colony, Mylapore, Chennai. The petitioner states that much to his chagrin, the 4th respondent blocked the southern boundary of his property by erecting high rise steel

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sheets, which has resulted in deprivation of natural ventilation to his house. Afflicted by the illegal act of the 4th respondent, the petitioner submitted a representation to the respondents on 10.06.2025. As no action was initiated on the petitioner's representation, the petitioner filed the above writ petition for the aforesaid relief.

3. Heard the learned counsel for the petitioner and the learned standing counsel for the respondents 1 and 2 and the learned Government Advocate (crl.side) for the third respondent. Perused the materials available on record. With the consent of all counssels, this writ petition is taken up for final disposal.

4. In view of the foregoing facts, this Court is inclined to direct the 4th respondent to dispose of the petitioner's representation dated 10.06.2025, by conducting an inspection of the site in the presence of the petitioner and by affording an opportunity of personal hearing to the petitioner. The 4th respondent shall thereafter pass orders on merits and in accordance with law, within a period of eight weeks, from the date of receipt of a copy of this order.

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5. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

08.07.2025

Speaking order / Non-speaking order
Index : Yes / No
Neutral Citation : Yes / No
tsh

To
1.The Executive Engineer Zone -9
Greater Chennai Corporation
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N. MALA, J.

This matter is listed today under the caption 'for being mentioned' at the instance of the learned counsel for the petitioner.

2. It is brought to the notice of this Court that some typographical errors have been crept in the order dated 08.07.2025 at paragraph No.4 Accordingly, the following corrections shall be incorporated in the order,

> ***"4. In view of the foregoing facts, this Court is inclined to direct the 1st to 4th respondents to dispose of the petitioner's representation dated 10.06.2025, by conducting an inspection of the site in the presence of the petitioner and by affording an opportunity of personal hearing to the petitioner. The 1st to 4th respondents shall thereafter pass orders on merits and in accordance with law, within a period of eight weeks, from the date of receipt of a copy of this order."***

Thereby, he would request that the said portion of the order may be corrected and copy may be issued accordingly.

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N.MALA, J.

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3. In view of the above, Registry is directed to carry out the necessary corrections in the order and issue order copy afresh. All other observations made in order dated 08.07.2025 shall remain the same.

24.07.2025

dpq

Issue order copy on 25.07.2025

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