IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.10.2015

CORAM

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND
The Hon'ble MR.JUSTICE T.S.SIVAGNANAM

W.P.No.34964 of 2015
and
M.P.No.1 of 2015

Muniammal ... Petitioner

-Vs-

1. The Government of Tamil Nadu,
   rep. by its Secretary to Government,
   Housing and Urban Development Department,
   Fort St. George,
   Secretariat,
   Chennai-9.

2. The Chairman,
   Tamil Nadu Slum Clearance Board,
   Kamarajar Salai,
   Chepauk,
   Chennai-5.

3. The District Collector,
   Chennai District,
   Rajaji Salai,
   Chennai.

4. The Special Deputy Collector,
   L.A. Works, Madras City,
   Madras-1.

5. V.R.Venkatachalam

6. Deenadayalan

7. Arumugham

8. Munirathinam ... Respondents

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Writ Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the 2nd respondent to forebear the 5th to 8th respondents from putting up construction on the lay out plotted site, it obstructs the common pathway which is ingress to egress to the residents of Rajupillai Thottam, to approach the Mambalam main road, and it is situated behind the Kollapuri Amman Koil, Mambalam High Road, T.Nagar, Chennai-17, in S.No.5260/1, when the enquiry is pending before the 2nd respondent.

For Petitioner : Mr.R.Margabandhu

For Respondents : Mr.STS.Moorthy
Government Pleader
assisted by
Mr.V.R.Kamalanathan, Addl. G.P.
Mr.V.Shanmughasundar, Govt.Advocate
for R1, R3, R4

ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

We are not inclined to entertain this Public Interest Litigation when the grievance is really relating to some easementary rights qua the petitioner, who has also occupied the public land and that area has been now brought under the Tamil Nadu Slum Clearance Board. It is open to the petitioner to pursue her representation administratively or if any civil rights are affected to, file civil proceedings in accordance with law.

2. The writ petition is dismissed with the aforesaid liberty. No costs. Consequently, M.P.No.1 of 2015 is closed.

Sd/-
Assistant Registrar(CO)

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Sub Assistant Registrar

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To

1. The Secretary to Government,
   Housing and Urban Development Department,
   Fort St. George,
   Secretariat, Chennai-9.

2. The Chairman,
   Tamil Nadu Slum Clearance Board,
   Kamarajar Salai,
   Chepauk, Chennai-5.

3. The District Collector,
   Chennai District,
   Rajaji Salai, Chennai.

4. The Special Deputy Collector,
   L.A. Works, Madras City,
   Madras-1.

+1cc to Mr.R.Margabandhu, Advocate, S.R.No.59486
+1cc to the Government Pleader, S.R.No.59627

W.P.No.34964 of 2015

CTK(CO)
CA(17/11/2015)

HIGH COURT OF JUDICATURE MADRAS
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