

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 11..03..2015

Coram:

The Honourable **Mr.SANJAY KISHAN KAUL, CHIEF JUSTICE**
and

The Honourable Mr.Justice **M.M.SUNDRESH**

W.P.No.6749 of 2015

N.Irudayaraj

.. Petitioner

versus

1.The Chief Executive Officer
Cantonment Board,
St.Thomas Mount, Chennai 600016.

2.The Regional Manager
Chennai (South) Region
T.N.Civil Supplies Corporation
No.9, Canron Smith Road,
Gopalapuram, Chennai 86.

3.The Commissioner of Police
Greater Chennai, Vepery, Chennai-7.

4.Diocese of Chengalpet Society
represented by its Property Administrator
Bishops House, Thimmavaram
Chengalpet, Kanchipuram District.

5.Fr.Bakya Regis
Paris Priest,
St.Patrick Church,
St.Thomas Mount,
Chennai 600016.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for the issue of a writ of mandamus, directing the first respondent to remove all encroachment made by the 5th respondent in the land bearing S.No.1858 in Mangaliamman Koil Street, St.Thomas Mount, Chennai 16, and proceed with the construction of the building for accommodating ration shop to be run by the 2nd respondent.

For Petitioner ::: A.Sirajudeen

For Respondents ::: Mr.S.T.S.Moorthy
Government Pleader for R.2 and R.3

O R D E R

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

The Division Bench of this Court in W.P.No.35099 of 2013 dated 07.04.2014 had passed an order qua the relief sought for by the petitioner for removal of encroachments allegedly made by the third respondent therein (5th respondent herein) in the land bearing S.No.1858 in Mangaliamman Koil Street, St.Thomas Mount, Chennai 600 016. The order noted that the first respondent had already issued proceedings dated 24.03.2014, and thus nothing survives in the writ petition.

2. The cause of filing the second petition is arising on account of the fact that the Chief Executive Officer of the first respondent has been repeatedly addressing communication to the police authority to provide police protection to remove the encroachments by the contonment authority and build ration shop on the lands belongs to the Government. Despite that, there is apparently no response from the police authorities.

3. We, thus, direct the Commissioner of Police/third respondent to render assistance to the first respondent as and when sought with the advance notice given of seven days to carry out the Executive functions of the first respondent.

4. The writ petition accordingly stands disposed of. No costs.

Copy of the order be issued to the first and third respondents.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

ksr

Copy to:

1.The Chief Executive Officer
Cantonment Board,
St.Thomas Mount, Chennai 600016.

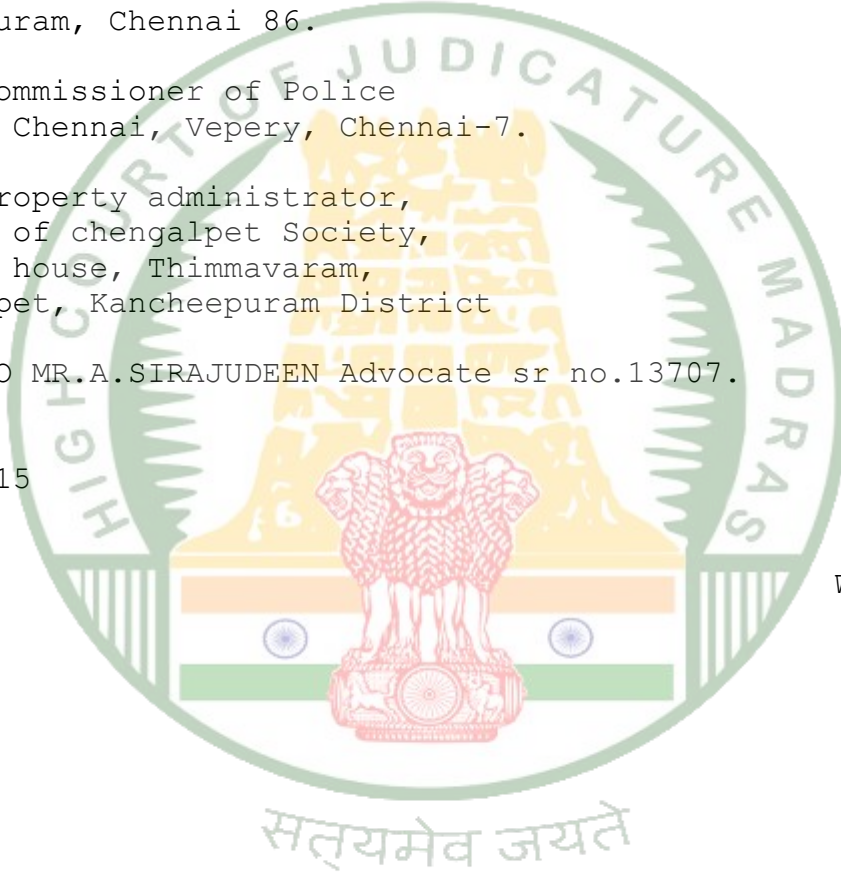
2.The Regional Manager
Chennai (South) Region
T.N.Civil Supplies Corporation
No.9, Canon Smith Road,
Gopalapuram, Chennai 86.

3.The Commissioner of Police
Greater Chennai, Vepery, Chennai-7.

4.The property administrator,
Diocese of chengalpet Society,
Bishops house, Thimmavaram,
Chengalpet, Kancheepuram District

+1 CC TO MR.A.SIRAJUDEEN Advocate sr no.13707.

Rv[co]
rd20/3/15



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