

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.11.2016

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P. No.437 of 2014

1.M.K.Ravi
2.M.Krishnamoorthy ... Petitioners
Both are rep.by their duly
constituted Power of Attorney agent
K.Panneerselvam

-vs-

1.The Commissioner,
Corporation of Chennai,
Chennai 600 003.
2.The Assistant Commissioner,
12th Division, Corporation of Chennai,
Alandur, Chennai 600 016. ... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the respondents to restore possession of the petitioner's property to the petitioner and also pay damages being a sum of Rs.25,00,000/- as compensation for the abuse of power and illegal act of the respondents.

For Petitioner : Mr.G.Vijayakumar

For Respondents : Mr.R.Arunmozhi

* * * * *

O R D E R

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

The portion occupied by the petitioner has been made into a road, as according to the respondents, this was categorised as a pathway. This position is, of course, disputed by the petitioners.

2.Be that as it may, the petitioners have filed an appeal before the appellate authority, which is stated to be pending since 2013. If that be the position, that appeal should be decided within a period of three (3) months from the date of

receipt of this order by the competent authority (stated to be now the Special Officer of the Corporation). In so far as the allegations of the petitioners having patta to the land and damages suffered by the petitioners are concerned, the petitioners are free to work out their remedies in accordance with law including through civil proceedings, as evidence would be required to decide those issues.

3.Writ petition, accordingly, stands disposed of. No costs.

Sd/-
Asst.Registrar (CS VI)

/true copy/

Sub Asst. Registrar

To

1.The Commissioner,
Corporation of Chennai,
Chennai 600 003.

2.The Assistant Commissioner,
12th Division, Corporation of Chennai,
Alandur, Chennai 600 016.

+1 cc to M/s.R.Arunmozhi,advocate,sr.67574

+1 cc to M/s.Vijayakumar,advocate,sr.67436.

cnr(co)
krd 29/11

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सत्यमेव जयते

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