

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2016

CORAM

THE HON'BLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE M.SUNDAR

W.P.No.14732 of 2014

Subba Reddy Charities
rep. by Managing Trustee
A.J.Yuvaraj Reddy
15-A, Regency Park
Manapakkam
Chennai - 600 125. ... Petitioner

Vs.

1. The Member Secretary
Chennai Metropolitan Development Authority
1, Gandhi Irwin Road, Egmore, Chennai - 8.
2. The Commissioner
Corporation of Chennai
Chennai - 3.
3. The Zonal Officer
Zone XIII, Dr.Muthulakshmi Road
Adyar, Chennai - 20.
4. The Inspector General of Registration
Santhome, Mylapore
Chennai - 600 004.
5. The Divisional Engineer
TNEB, Raj Bhavan
Guindy, Chennai - 32.
6. The Tahsildar
Mambalam-Guindy Taluk
Chennai - 78.

7. R.V.Raghavan
8. R.Nagarajan
9. A.Sankarnarayan
10. ATP Venkatachalapathy .. Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a writ of Mandamus to direct the 1st and 2nd respondents to file counter for not taking action on deliberate encroachment daringly performed by 7th & 8th respondents hence to direct 1st & 2nd respondents to remove encroachment on the basis of notification sent by CMDA No.ES2/11440 dated 20.2.2012 and 24.6.2012 respectively ignored in lackadaisical attitude and in corruption by 1st and 2nd respondents and facilitated by respondents & 10 on the basis of Verdicts rendered in a) WP 3223 of 2000 in AIR BOMBAY 145 b) in AIR 1994 Madras 363 and c) in Bombay High Court directing Muncipal corporation to demolish illegal shrines.

For Petitioner : No appearance

For Respondents : Mr.K.Raja Srinivas
for 1st respondent

Mr.T.N.Rajagopalan
Spl. Government Pleader
for respondents 4 and 6

Mr.V.C.Selvasekaran
for respondents 2 and 3

No appearance
for respondents
5 and 7 to 10

ORDER

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

The allegation is that respondents 7 and 8 have encroached on public land and have constructed a temple. The counter affidavit of the Corporation states that the temple was constructed in 1980 and is on an extent of 2760 Sq.Ft. The temple is stated to be on private land and not an encroachment on the Corporation land.

In view of the aforesaid stand of the Corporation, the petition is dismissed. No costs.

Sd/-

Asst.Registrar (Co)

/true copy/

Sub Asst. Registrar

To:

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Mambalam-Guindy Taluk
Chennai - 78.

+1 cc to Mr.Senthilmurthy,advocate,sr.73261

+1 cc to Mr.K.Rajasrinivas,advocate,sr.73215.

mg(c)

krd 27/12

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सत्यमेव जयते

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