

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.06.2016

CORAM

THE HONOURABLE MR.JUSTICE HALUVADI G.RAMESH
AND
THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

W.P.No.18768 of 2016

1. S.Ramesh (Venkateshan)
 2. T.P.Mathu
 3. R.Gowry
 4. N.Saroja
 5. P.Rajathiran
 6. R.Raji
 7. Kannaiya
 8. D.Ramesh
- ... Petitioners

-vs-

1. The District Collector
Thiruvallur
Thiruvallur District
 2. The Tahsildar
Maduravoyal Taluk
Chennai
 3. The Municipal Commissioner
Thiruverkadu
Thiruverkadu Township
Chennai 600 077
 4. Mohankumar
S/o Chokalingam Naicker
- .. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the first and second respondents to implement the order passed in the letter reference Na.Ka.No.379/2016/F1 dated 09.03.2016 passed by third respondent in the subject matter of construction of permanent compound wall by the fourth respondent in Survey No.103/9 of Pallikuppam Village, Noombal Madura, abutting the 22 feet width road running North to South, in the East of side of Chokalingam Nagar Road, Chennai 600 077 thereby denying the ingress and egress of the petitioners houses in the Pallikuppam, Perumal Koil Stret, Chennai 600 077.

For Petitioners :: Mr.K.Mohanamurali

For Respondents :: Mrs.A.Srijayanthi
 Special Government Pleader for
 R1 & R2
 Mr.S.V.Durai Solaimalai
 Additional Government Pleader
 for R3

ORDER

(Order of the Court was delivered by HALUVADI G.RAMESH, J.)

The petitioners have sought a prayer for issuance of a writ of mandamus, directing the first and second respondents to implement the order in the letter reference Na.Ka.No.379/2016/F1 dated 09.03.2016 passed by the third respondent in the subject matter of construction of permanent compound wall by the fourth respondent in Survey No.103/9 of Pallikuppam Village, Noombal Madura, abutting the 22 feet width road running from North to South on the east side of Chokalingam Nagar Road, Chennai 600 077, whereby there is a denial of ingress and egress of the petitioners' houses in Pallikuppam, Perumal Koil Stret, Thiruverkadu, Chennai 600 077.

2. Mrs.A.Srijayanthi, learned Special Government Pleader takes notice on behalf of the first and second respondents. Mr.S.V.Durai Solaimalai, learned Additional Government Pleader takes notice on behalf of the third respondent.

3. The grievance of the petitioners is that they are the residents of Pallikuppam village, Chokalingam Nagar Road, Thiruverkadu, Chennai for more than 15 years and they are holding pattas in respect of their properties and also put up residential buildings, which are assessed to property tax by the Thiruverkadu Township. While so, one Mr.Mohan developed some housing plots in Survey No.106/12 (part) in the name of Rajiv Nagar Annexe and started to use Chokalingam Nagar Road to reach the plots developed by him and in that process, he started to construct a permanent compound wall in Survey No.103/9 of Pallikuppam Village, Noombal Madura, abutting the 22 feet road running 300 feet between north to south on the east side of Chokalingam Nagar Road by obstructing the ingress and egress to the houses of the petitioners in the Perumal Koil Street, Chennai. Hence the first petitioner made a representation to the third respondent/Commissioner to take appropriate action for removal of the obstruction and based on the complaint, the third respondent/Commissioner also had written a letter to the second respondent/Tahsildar for taking steps to remove the obstruction put up by one Mr.Mohan. Since no action has been

taken by the second respondent/Tahsildar, they have come to this Court.

4. In this regard, it is for the second respondent/Tahsildar to take necessary action for the removal of the obstruction that is preventing the ingress and egress to the houses of the petitioners, if need be, by taking police help and such action be complied with within one month from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. Consequently, W.M.P.No.16382 of 2016 is closed. No costs.

s/d-

Assistant Registrar (CO)

True Copy

Sub-Assistant Registrar

ss

To

1. The District Collector
Thiruvallur
Thiruvallur District
2. The Tahsildar
Maduravoyal Taluk
Chennai
3. The Municipal Commissioner
Thiruverkadu
Thiruverkadu Township
Chennai 600 077

+1 cc to M/s.K.Mohanamurali Advocate sr.29435

+1 cc to Government Pleader sr.29859

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