

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.26691 of 2013

and M.P.No.1 of 2013

Raajini

... Petitioner

-vs-

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

2.The Executive Engineer,
Corporation of Chennai, Zone-14,
6/64, Puzhuthivakkam Main Road,
Puzhuthivakkam, Chennai.

3.The Superintending Engineer,
Chennai Metro Water and Sewerage
Board, Chennai South, Chennai.

4.The Tahsildar,
Tambaram Taluk,
Tambaram, Chennai.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the respondents to carry out survey of the canal passing adjacent on the northern side of the petitioner's property situated at 5/1025, Old Mahabalipuram Road, Palavakkam, Chennai 600 041 and proceed with due process of law to extend the width of the canal.

For Petitioner : Mr.N.Valliamma
for Mr.M.Christopher

For Respondents : Mr.R.Arunmozhi for RR 1 & 2
: Mr.T.N.Rajagopalan
Spl.G.P. For R-4

O R D E R

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

The petitioner's allegation regarding the canal passing on the northern side of the petitioner's property situated at 5/1025, Old Mahabalipuram Road, Palavakkam, Chennai, is sought to be rebutted in the counter-affidavit by stating that demarcation of boundaries of the canal were carried out by the Tahsildar and a three feet encroachment by the petitioner was found on the drainage Canal. At the stage of de-silting the canal, a compound wall at the petitioner's property had fallen.

2.On our query, learned counsel for the petitioner states that he has no further instructions in the matter.

3.In view of the aforesaid stand of the respondents as also the fact that the encroachments are stated to have been cleared, this writ petition stands dismissed. No costs. Consequently, M.P.No.1 of 2013 also stands dismissed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

sra

To

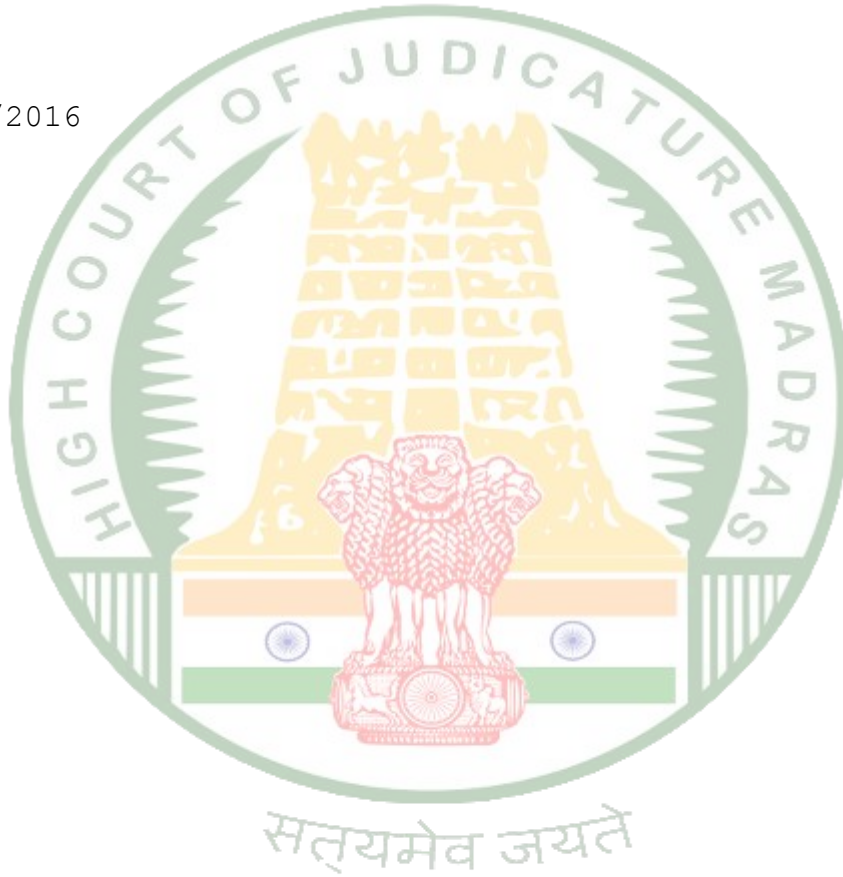
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+1cc to the Special Government Pleader sr.67699

W.P.No.26691 of 2013

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srg 08/12/2016



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