

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.8.2016

CORAM

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

W.P.No.27849 of 2016

1 Mr.Baskar Babu
Rep by his Sister Cum
Power of Attorney
Mrs.M.Latha

2 Mr.Thiruchelvan
3 Mr.S.Suchander

Petitioners

Versus

1 The Commissioner
Corporation of Chennai
Rippon Building Chennai- 600 003.

2 The Assistant Engineer
Corporation of Chennai Zonal Office
No.123 Arcot Road Valasaravakkam
Chennai-600 087.

3 The Tahsildar
Office of the Tahsildar
Ambattur Taluk NH-205
Ambattur Chennai-600 053.

Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents to take action on the petitioners' representation dated 22.07.2016 and to remove the illegal encroachment made in 40 feet road situate at Varalakshmi Nagar 3rd Street (DDTP vide LPDM.82/73) Maduravoyal Chennai-600 095 in accordance with law.

For petitioners : Mr.P.Vasanth
For RR1 and 2 : Mr.A.Nagarajan
For R3 : Mrs.A.Srijayanthi,
Special Govt. Pleader

ORDER

(Order of the court was made by HULUVADI G.RAMESH, J.)

Heard the learned counsel appearing for the parties.

2. The writ petition has been filed seeking issuance of a writ of mandamus directing the respondents to take action on the petitioners' representation dated 22.07.2016 and to remove the illegal encroachment made in 40 feet road situate at Varalakshmi Nagar 3rd Street (DDTP vide LPDM.82/73) Maduravoyal Chennai-600 095 in accordance with law.

3. The allegation of the petitioners, being owners of properties in the locality in question, is that some unknown persons are trying to grab the public road. Mere apprehension of the petitioners cannot be a cause of action for granting a relief, unless a prima facie case is made out. Therefore, the writ petition is disposed of with liberty to the petitioners to approach the appropriate forum.

-s/d-

Assistant Registrar

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Sub-Assistant Registrar

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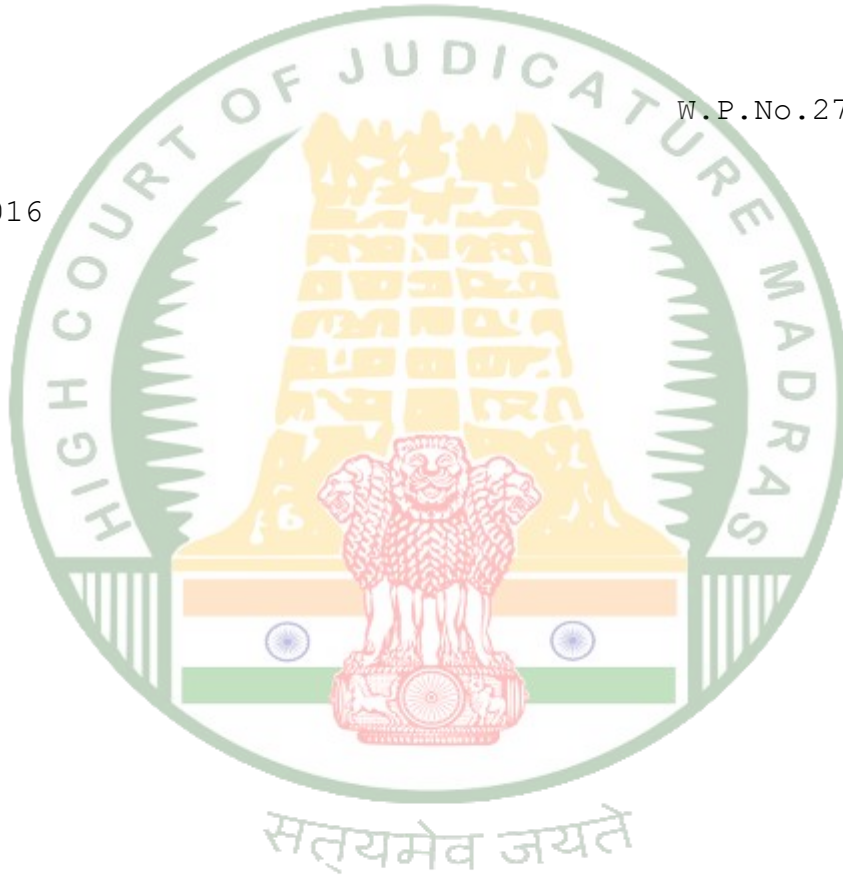
1 The Tahsildar
Office of the Tahsildar
Ambattur Taluk NH-205
Ambattur Chennai-600 053.

+1 cc to Mr.P.Vasanth Advocate sr 46972/16

+1 cc to Government Pleader sr 47063/16

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