

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.10.2016

CORAM

The HON'BLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The HON'BLE MR.JUSTICE R.MAHADEVAN

W.P.No.36873 of 2016

Secretariat Colony Residents Welfare Association
rep. by its President, L.Venkatakrishnan
having office at No.124-B, 4th Street
Secretariat Colony, Kilpauk
Chennai - 600 010. .. Petitioner

Vs

1. The Commissioner
Corporation of Chennai
Ripon Buildings, Chennai - 600 003.
2. The Regional Deputy Commissioner-Central
Corporation of Chennai
Chennai - 600 003.
3. The Assistant Commissioner/Zonal Officer
Zone-VI/Ward 74
Corporation of Chennai
Ayanavaram, Chennai - 600 023. .. Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of Mandamus directing respondents to remove the encroachment and restore the rain water drainage near Medavakkam Tank Road - Berracah Road - Secretariat Colony Junction in Ward 74, Zone-VI, Kilpauk, Chennai.

For Petitioner : Mr.J.Bharathiraja

For Respondents : Mr.V.C.Selvasekaran

Mr.M.K.Subramanian
Government Pleader
assisted the Court.

ORDER

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

The petitioner stakes to make a grievance qua the encroachments in respect of which the Divisional Revenue Officer himself has found that those encroachments have to be removed, but necessary action has not been taken on account of non availability of police force.

2. The learned Government Pleader appearing for the police authorities states that police assistance will be given as and when required.

3. We may also note that these are hardly the kind of cases which should come to the Court and there should be better coordination between the Revenue and Police authorities. Until and unless there is some grave situation on account of which for any specific dates the police force is not available, we see no reason why the police force should not be made available as and when sought by the Revenue authorities. In this behalf, the Commissioner to issue necessary orders to all the police authorities so that we are not once again faced with such situations.

4. It is for the Revenue authorities to fix the dates and for the Police authorities to make available the police force.

5. The writ petition, accordingly, stands disposed of. No costs.

We are informed that one of the encroachers has obtained an interim order in W.P.No.35525 of 2015. The said writ petition be listed on 26.10.2016.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Commissioner
Corporation of Chennai
Ripon Buildings, Chennai - 600 003.
2. The Regional Deputy Commissioner-Central
Corporation of Chennai
Chennai - 600 003.
3. The Assistant Commissioner/Zonal Officer
Zone-VI/Ward 74
Corporation of Chennai
Ayanavaram, Chennai - 600 023.
4. The Commissioner of Police,
Egmore, Chennai

+1 CC to Government Pleader, Sr.No.60146
+2 CC to J. Bharathiraja, Advocate Sr.No.59831

WEB COPY W.P.No.36873 of 2016

PPA (CO)
MD : 2/11/2016