

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2016

CORAM

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

W.P.No.43802 of 2016

Baskar Babu
Rep.by the Sister cum Power of Attorney
Mrs.M.Latha

... Petitioner

Vs.

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
Koyambedu Taluk
Chennai.

(R3 impleaded by order dated
21.12.2016 made in this writ petition)

... Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a writ of Mandamus directing the respondents to take action on the petitioner's representation dated 3.10.2016 and to take action on the 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 Petitioner
For Respondents

: Mr.P.Vasanth
: Mr.V.C.Selvasekaran
Standing Counsel
for respondents 1 and 2

Mr.M.K.Subramanian
Government Pleader
for 3rd respondent

ORDER

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

On request of learned counsel for the respondents, the Tahsildar, Koyambedu, is impleaded as the third respondent. Memo of parties be amended accordingly.

2. The petitioner is the owner of Plot No.19, comprised in S.Nos.127/1, 127/2 Part, 127/4 Part, 127/7 and 128/1 situate at Varalakshmi Nagar 3rd Street, Varalakshmi Nagar, Maduravoyal Village, Ambattur Taluk, Chennai - 600 095 and the layout is approved. The grievance of the petitioner is that as per the approved plan on the southern side of his plot there is a 40 Feet wide road shown, but now that road has been encroached and construction has been made as per the photographs filed along with the typed set.

3. In view of the aforesaid position, the third respondent is directed to carry out an inspection of the site and demarcate the area within fifteen days of the receipt of the order and thereafter, if any unauthorized construction is found, action will be taken by the first two respondents in accordance with law after notice to all concerned within a maximum period of two months thereafter.

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

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

sasi

To:

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
Koyambedu Taluk
Chennai.

+1cc to Mr.P.Vasanth, Advocate, S.R.No.74367

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RSY (CO)
CA(23/12/2016)



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