

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.04.2016

CORAM

THE HON'BLE MR. JUSTICE SATISH K. AGNIHOTRI
and
THE HON'BLE MR. JUSTICE M.VENUGOPAL

W.P. No.7391 of 2016

K.Rameshwar ..Petitioner

Vs.

- 1.The Collector,
O/o.The Collector Office,
Kancheepuram.
- 2.The Tahsildar,
O/o.Sozhinganallur,
Kancheepuram.
- 3.The Commissioner,
O/o.The Greater Chennai Corporation,
Chennai.
- 4.The Divisional Officer,
Zone - 14, Greater Chennai Corporation,
No.6/64, Puzhuthivakkam Main Road,
Chennai - 91.

5.P.Raja ..Respondents

Petition filed under Article 226 of The Constitution of India praying for the issuance of a writ of mandamus directing the respondents 1 to 4 to remove the encroachment of the Lord Ganesha Temple which obstructing the drainage line by causing water logging made by the fifth respondent in Government Drainage line.

For Petitioner .. Mr.V.Karnan

For Respondents .. Mr.P.S.Sivashanmugha Sundaram,
Spl. Govt. Pleader for R1 & R2
Mr.R.Arunmozhi for R3 & R4

ORDER

(Order of the Court was made by SATISH K.AGNIHOTRI, J.)

Mr.P.S.Sivashanmugha Sundaram, learned Special Government Pleader accepts notice on behalf of respondents 1 and 2 and Mr.R.Arunmozhi, learned standing counsel accepts notice on behalf of respondents 3 and 4. Notice to the fifth respondent is dispensed with at this stage, as no adverse order is passed against him in this writ petition. Thus, with the consent of the learned counsel for the petitioner, learned Special Government Pleader for respondents 1 and 2 and the learned standing counsel for respondents 3 and 4, the writ petition is taken up for final disposal.

2.The petitioner, who is stated to be a resident of the area in question, noticing the encroachment made by the fifth respondent, by constructing a temple on the drainage line, has come up with this writ petition, seeking a direction to respondents 1 to 4 to remove the said encroachment.

3.It is the case of the petitioner that the fifth respondent has constructed a temple obstructing the Government drainage line and on the police complaint made by him, enquiry was conducted and the complaint was closed without any action. Therefore, the petitioner made a representation dated 31 January 2014 to the District Collector, Kancheepuram for removal of encroachment. The petitioner has also made a representation to the Corporation. Since no action is taken by the authorities, the present writ petition is filed.

4.Pursuant to our notice, a report is submitted by the fourth respondent supported by photographs stating that the illegal construction made on the place in question, obstructing the drainage line, has been removed on 30 March 2016. Thus nothing survives for adjudication at this stage.

5.In view of the foregoing, the writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

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To

1.The Collector,
O/o.The Collector Office,
Kancheepuram.

2.The Tahsildar,
O/o.Sozhinganallur,
Kancheepuram.

3.The Commissioner,
O/o.The Greater Chennai Corporation,
Chennai.

4.The Divisional Officer,
Zone - 14, Greater Chennai Corporation,
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Chennai - 91.

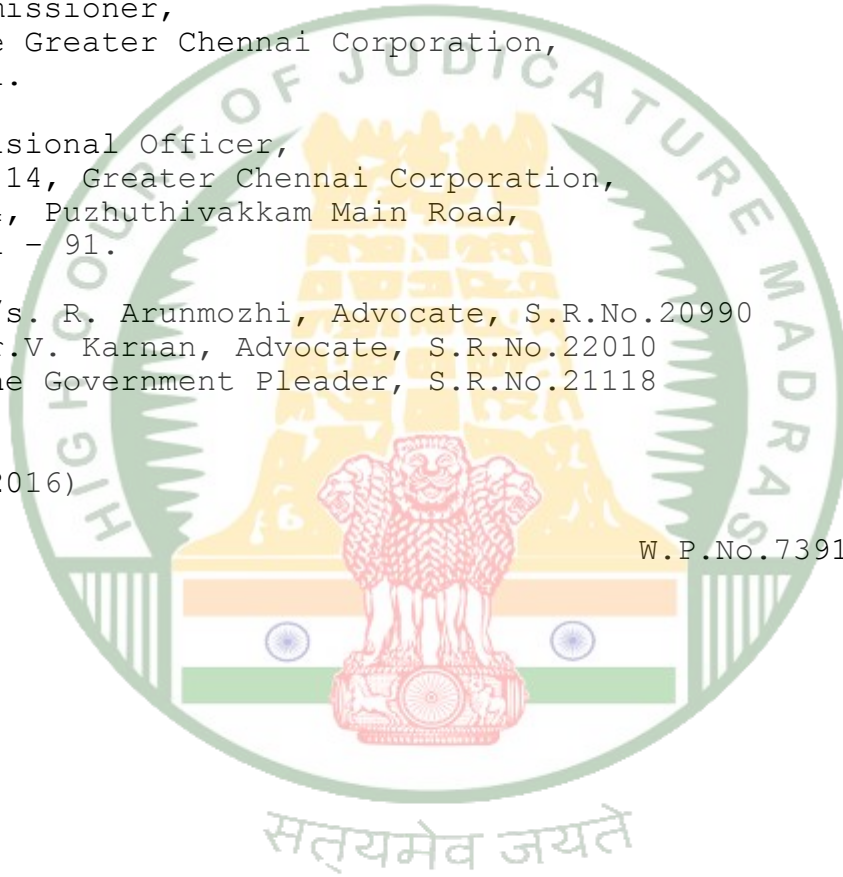
+lcc to M/s. R. Arunmozhi, Advocate, S.R.No.20990

+lcc to Mr.V. Karnan, Advocate, S.R.No.22010

+lcc to the Government Pleader, S.R.No.21118

AD(CO)
EU(20/04/2016)

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