

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.03.2017

CORAM

THE HON'BLE MR.HULUVADI G.RAMESH, ACTING CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE RMT.TEEKAA RAMAN

W.P.No.4137 of of 2017
and
W.M.P.No.4285 of 2017

K.Umapathy ... Petitioner

Vs.

- 1 The Commissioner
Corporation of Chennai
Rippon Buildings
Chennai-600003.
 - 2 The Executive Engineer
Zone-1 Corporation of Chennai
Ward No.VI, Thiruvottiyur Zone
No.945/ 276 T.H.Road
Thiruvottiyur, Chennai-600 019
 - 3 The Member Secretary
Chennai Metropolitan Development Authority
Thalamuthu Natarajan Maligai
Egmore, Chennai-600 008.
 - 4 The Superintending Engineer
State High Ways High Ways Department
Teynampet, Chennai-600 018.
 - 5 The Superintending Engineer
Tamilnadu Electricity Board
Mount Road, Chennai-600 002.
 - 6 Meena
 - 7 Rajan
 - 8 The Project Director,
National Highways Authority of India,
No.1/54-28, Butt Road,
Sri Tower, SP Industrial Area,
St. Thomas Mount,
Chennai - 600 016.
- .. Respondents

(Respondent No.8 impleaded as per
order in WMP.No.6034/2017 dt. 21.03.2017)

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of mandamus directing the Respondents 1 to 4 to remove all sort of encroachments made over the service road of Madras Oil Refinery 200 Feet Road and Subramania Nagar approved layout Roads without any delay.

For Petitioner : Mr.G.Ilangovan

For Respondents : Mr.R.Arunmozhi
for respondents 1 and 2
Mr.Rajasrinivas
for 3rd respondent
Mr.T.N.Rajagopalan
Spl. Government Pleader
for 4th respondent
Mr.R.Dillipkumar
for 5th respondent
Mr.Jerry V.V.Sundar
for M/s.P.Wilson Associates
for 8th respondent

ORDER

(Order of the Court was made by the Acting Chief Justice)

The petitioner has filed this writ petition seeking issuance of a writ of mandamus directing respondents 1 to 4 to remove all sort of encroachments made over the service road of Madras Oil Refinery 200 feet road and Subramania Nagar approved layout roads.

2. Heard the learned counsel for the petitioner and the learned counsel for the respondents.

3. The learned counsel for respondent No.8 submits that the 200 feet road in question belongs to respondent No.4 and respondent No.4 is the competent authority to remove the encroachments.

4. The learned counsel for the Corporation, on instruction submits that Madras Oil Refinery 200 feet road was maintained by the State Highways Department and the State Highways Department is the competent authority to take action against the encroachers.

5. We, thus, call upon respondent No.4 to cause an inspection to be made of the site within fifteen days of the receipt of the copy of this order and any encroachment found would be removed in accordance with law within a maximum period of two months thereafter.

6. The writ petition, accordingly, stands disposed of. No costs. Consequently, W.M.P.No.4285 of 2017 is closed.

-s/d-

Assistant Registrar (CCC)

True Copy

Sub-Assistant Registrar

To:

- 1 The Commissioner
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Zone-1 Corporation of Chennai
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 - 6 The Project Director,
National Highways Authority of India,
No.1/54-28, Butt Road,
Sri Tower, SP Industrial Area, St. Thomas Mount,
Chennai - 16
- +1 CC to M/s. R. Arunmozhi, Advocate sr 17326
+1 CC to Mr. G. Ilangoan, Advocate sr 17692
+1 CC to M/s. P.Wilson Associates, sr 17526
+1 CC to Mr. K. Raja Srinivas, sr 17382

W.P.No.4137 of 2017

NMI (CO)
sp/21/4