

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 02.03.2017
CORAM
THE HON'BLE MR.HULUVADI G.RAMESH, ACTING CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE R.MAHADEVAN

W.P.No.5222 of 2017

T.Rajendran

.. Petitioner

Vs.

1. The Government of Tamilnadu
Rep. by the Secretary to Government
Municipal Administration & Water Supply Department
Fort St. George, Chennai-600009.
 2. The Commissioner
Corporation of Chennai
Ripon Buildings, Park Town
Chennai-600003.
 3. The Zonal Officer, Zone No.15
Corporation of Chennai
Sholinganallur
Chennai-600 119.
 4. The Management
Kundathanil Chaco Ghee Varghese (KCG)
College of Technology & Hindustan
International school KCG Nagar, Karapakkam
Chennai-600097
- .. Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of prohibition forbearing the respondents or their men, servants, agents, nominees, assignees, administrators, successor(s)- in- office, its contractor(s) or any other public person(s) claiming through them either directly or indirectly from installing the Arch at the entrance of Ranganathan Street, Karapakkam, Chennai- 600 097 and abutting OMR or trespassing into the petitioner's private land which is more particularly described in the schedule to the writ petition and washed in rose colour in the rough plan attached with the writ petition for any other purpose without any authority absolutely and forever.

For Petitioner : Mr.M.S.Mani

For Respondents : Mr.M.K.Subramanian
Government Pleader
for 1st respondent

Mr.A.Nagarajan
for respondents 2 and 3

ORDER

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

Mr.M.K.Subramanian, learned Government Pleader takes notice for the first respondent and Mr.A.Nagarajan, learned counsel takes notice for respondents 2 and 3.

2. Heard the learned counsel for the parties.

3. The petitioner has filed this writ petition seeking issuance of a writ of prohibition forbearing the respondents or their men, servants, agents, nominees, assignees, administrators, successor(s)- in- office, its contractor(s) or any other public person(s) claiming through them either directly or indirectly from installing the Arch at the entrance of Ranganathan Street, Karapakkam, Chennai- 600 097 and abutting OMR or trespassing into the petitioner's private land which is more particularly described in the schedule to the writ petition and washed in rose colour in the rough plan attached with the writ petition for any other purpose without any authority absolutely and forever.

4. It is the case of the petitioner that the fourth respondent, which is running a school and college, is putting up an Arch in the public street without any permission and his private road is situated exactly near to the Arch. The petitioner alleges that if the arch is built, the same will create law and order problem in future between the petitioner and the students of the fourth respondent and that the arch will cause nuisance.

5. If the petitioner is aggrieved by the putting up of the arch by the fourth respondent and he feels that access to his private road is in any way affected, it is for him to issue a legal notice and bring it to the notice of the respondent/authorities. If the respondent/ authorities fail to take any action, then it is for the petitioner to move the Civil Court seeking appropriate relief.

The writ petition is disposed of accordingly. No costs.
Consequently, W.M.P.No.5550 of 2017 is closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To:

1. The Secretary to Government
Government of Tamilnadu
Municipal Administration & Water Supply Department
Fort St. George, Chennai-600009.
2. The Commissioner
Corporation of Chennai
Ripon Buildings, Park Town
Chennai-600003.
3. The Zonal Officer, Zone No.15
Corporation of Chennai
Sholinganallur
Chennai-600 119.

+1 cc to Mr.M.S.Mani Advocate sr 13710
+1 cc to Government Pleader sr 14162
+1 cc to M/s.A.Nagarajan Advocate sr 14015

सत्यमेव जयते

W.P.No.5222 of 2017

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