

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.04.2017

CORAM :

The Hon'ble Ms.INDIRA BANERJEE, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE M.SUNDAR

W.P.No.9548 of 2017

S.V.S.Ilamvazhuthi

.. Petitioner

-vs-

1.The Chief Secretary,
Government of Tamil Nadu,
Secretariat, Fort St. George,
Chennai 600 009.

2.The Principal Secretary,
Office of Governor Secretariat,
Guindy, Chennai 600 025.

3.The Secretary,
Local Administration Dept.,
Secretariat, Chennai 600 009.

4.The Secretary,
Urban Welfare Dept.,
Secretariat, Chennai 600 009.

5.The Commissioner / Principal
Secretary, Greater Chennai,
Corporation of Chennai,
Ripon Building, Chennai 600 003.

6 The Commissioner / Special Officer
Avadi Greater Municipality Avadi
Chennai

7 The Asst. Commissioner
Zone 7
Corporation of Chennai
Ambattur, Chennai

Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the respondents to join Tamil Nadu Housing Board Phase I and II with the Ambattur Zone 7 and to dispose of the petitioner's representation dated 27.03.2017 within the time prescribed by this Court.

For Petitioner : Dr.G.Krishnamurthy
For Respondents : Mr.M.K.Subramanian
Govt. Pleader for RR 1 to 4
: Mr.K.Soundarajan for RR 5 to 7

O R D E R

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

In this writ petition, filed by way of public interest litigation, the petitioner has prayed for orders on the respondents to join Tamil Nadu Housing Board Phases I and II with Ambattur Zone 7 and to further direct the respondents to dispose of the petitioner's representation dated 27.03.2017.

2.In the said representation, it is stated that in 1992, the Tamil Nadu Housing Board had allotted land through auction, under Ambattur Scheme Phases I, II and III, upon division of about 200 acres of land into house sites. The petitioner constructed a house in a plot allotted to him in Ambattur Scheme Phase I and II and is in occupation of the same.

3.The petitioner has made several allegations with regard to lack of appropriate civic amenities in his area. The local administration, according to the petitioner, has only been clearing garbage once in ten days. It is the contention of the petitioner that while some plot owners, that is, those of Phase III were paying taxes to Avadi Municipality, other plot owners of Phase I and II including the petitioner were paying taxes to Ambattur Municipality. The petitioner submits that the Phase under Avadi Municipality has been joined to Chennai Corporation, but not Phase I and II, which continue to remain with Ambattur Municipality. The petitioner submits that the area occupied by the petitioner should be included in the areas covered by Chennai Corporation, even though the prayer reads otherwise.

4.Which areas would be under Chennai Corporation and which areas would be under Ambattur Municipality is a matter of policy, with which the Court cannot interfere.

5.The petitioner has not been able to demonstrate any violation of any legal or even equitable right.

6.The writ petition is misconceived and the same is dismissed. There shall, however, be no order as to costs.

sd
Assistant Registrar

/True Copy/

Sub Assistant Registrar

(sra)
To

- 1.The Chief Secretary,
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Chennai 600 009.
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Avadi Greater Municipality Avadi
Chennai

7 The Asst. Commissioner
Zone 7, Corporation of Chennai
Ambattur, Chennai

+1 cc Mr. Krishnamoorthy, Advocate Sr.No.24953
+1 cc to Mr. Sundarajan, Advocate Sr.No.24910
+1 cc to Govt., Pleader, Sr.No.25219

W.P.No.9548 of 2017

MD: 17/05/2017