

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 24.04.2017
CORAM
THE HON'BLE MS. INDIRA BANERJEE, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE M.SUNDAR

W.P.No.9985 of 2017

E.Palani

.. Petitioner

Vs.

1 The Member Secretary,
Chennai Metropolitan Development Authority,
"Thalamuthu Natarasan Maaligai",
No.1, Gandhi Irwin Road,
Egmore, Chennai - 600 008.

2 The Commissioner,
Chennai Corporation,
"Ripon Buildings",
Chennai - 600 003.

3 The Regional Deputy Commissioner,
Chennai Corporation (North) Zone - 5,
No.61, Basin Bridge Road,
Chennai - 600 021.

4 The Zonal Officer,
Chennai Corporation - Zone 5,
No.61, Basin Bridge Road,
Chennai - 600 021.

5 The Executive Engineer,
Chennai Corporation Zone - 5,
No.61, Basin Bridge Road,
Chennai - 600 021.

6 R.Gajalakshmi

7 Jinamma

.. Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of mandamus directing the respondents 1 to 5 to remove the unauthorised constructions put up by the respondents 6 and 7 jointly which prevents the access to the common pathway lane leading to Perumal

Mudali Street and Muniappa Mudali Street at Kondithoppu, Chennai - 79.

For Petitioner : Mr.M.Saravana Kumar

For Respondents : Mr.C.Johnson
for 1st respondent

Mr.K.Soundararajan
for respondents 2 to 5

ORDER

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

This writ petition has been filed by the petitioner seeking a writ of mandamus directing respondents 1 to 5 to remove the unauthorised constructions put up by the respondents 6 and 7 preventing the access to the common pathway lane leading to Perumal Mudali Street and Muniappa Mudali Street at Kondithoppu, Chennai-600 079.

2. Mr.C.Johnson, learned counsel accepts notice for respondent No.1. Mr.K.Soundararajan, learned counsel accepts notice for respondent Nos.2 to 5.

3. The six and seventh respondents are private respondents, who are alleged to have encroached upon the common pathway belonging to the Chennai Corporation and put up constructions.

4. The office of the fifth respondent shall cause an inspection of the common pathway lane leading to Perumal Mudali Street and Muniappa Mudali Street at Kondithoppu, Chennai - 600 079 to be made within a fortnight from the date of receipt of copy of this order and if any encroachment is found, respondent Nos.1 and 2 shall take action in accordance with law, after giving notice to all concerned, particularly the sixth and seventh respondents before us, and conclude the proceedings within a period of two months thereafter.

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

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To:

- 1 The Member Secretary,
Chennai Metropolitan Development Authority,
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Chennai - 600 021.
- 5 The Executive Engineer,
Chennai Corporation Zone - 5,
No.61, Basin Bridge Road,
Chennai - 600 021.

+1cc to Mr.C. Johnson, Advocate, S.R.No.24602

+1cc to Mr.M. Saravana Kumar, Advocate, S.R.No.24449

+1cc to Mr. K. Soundarajan, Advocate Sr.No.24598

kk(CO)

md(02/05/2017)

W.P.No.9985 of 2017

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