

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:21.12.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

AND

THE HONOURABLE MR. JUSTICE SATRUGHANA PUJAHARI

WP No.32700/2017

E.Sudha

..

Petitioner

Vs

The Deputy Collector
Greater Chennai Corporation
Northern Regional Office
61, Basin Bridge Road
Chennai-21.

..

Respondent

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus directing the respondent to consider the petitioner representation dated 22.09.2017 seeking immediate action to remove the illegal pavement dwellers from the pavements and bus stops in Gandhi Irwin and Whannels Road close to the CMDA Building.

For Petitioner : Mr.Prem Anand

For Respondent : Mr.A.Nagarajan

ORDER

[Order of the Court was delivered by M.SATHYANARAYANAN, J.]

By consent, the writ petition is taken up for final disposal. Mr.A.Nagarajan, learned Standing counsel accepts notice on behalf of the respondent.

2 The petitioner, in the affidavit filed in support of this writ petition would aver among other thing that she is a resident of Door No.5/1, 1st Street, Nawab Habibullah Avenue, Chennai-6, and she is a medical doctor. The petitioner would further aver that she is the frequent user of public transport and she used to board bus in Gandhi-Irwin Road and Whannels Road, Egmore, Chennai, which is close to Thalamuthu Natarajar Maaligai Building wherein the offices of the Chennai Metropolitan Development Authority [CMDA] and the Oil and Natural Gas [ONGC] exist and according to her, right on the bus stand as well as on the platforms, encroachments are being made and in this regard, a detailed representation dated 22.09.2017 was submitted to the respondent herein and despite receipt and acknowledgment, no orders have been passed so far and hence, the petitioner came forward to file the present writ petition.

3 The learned counsel for the petitioner would submit that encroachments are being taken place on the bus stand as well as upon the Gandhi Irwin Road, which is the main thoroughfare to reach the arterial road, viz., Anna Salai and though the representation was submitted as early as on 22.09.2017 which was also acknowledged by the respondent on 30.09.2017, no action has been taken to abate the said nuisance and hence, she came forward to file the present writ petition.

4 The Court heard the submissions of Mr.A.Nagarajan, learned standing counsel appearing for the respondent and also perused the materials placed before it.

5 Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner, permits the petitioner to submit one more representation along with a copy of this order as well as the photographs to the Zonal Officer, Zone-V, Greater Corporation of Chennai, Basin Bridge, Chennai, within a period of two weeks from the date of receipt of a copy of this order and upon receipt of the same, the said official shall cause inspection of the area in

M.SATHYANARAYANAN.,J,
and
SATRUGHANA PUJAHARI.,J,

AP
question and depending upon the result of the same, shall take appropriate action in accordance with law, within a further period of eight weeks thereafter and communicate the decision taken, to the petitioner as well as to the person/s / encroachers concerned

6 The writ petition stands disposed of with the above direction. No costs.

[M.S.N.,J] [S.P.I., J]
21.12.2017

Internet : Yes

AP

To

The Deputy Collector
Greater Chennai Corporation
Northern Regional Office
61, Basin Bridge Road
Chennai-21.

Copy to:-

The Zonal Officer
Zone-V, Greater Corporation of Chennai
Royapuram, Basin Bridge, Chennai-13.

WP No.32700/2017