

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.11.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.23789 of 2014
& M.P.No.1 of 2014

M.Kirubakaran

.. Petitioner

Vs.

- 1.The Secretary to Government,
Govt. of Tamil Nadu,
Dept. of Local Administration & Water Supplies
Fort St. George,
Chennai - 600 009.
- 2.The Director of Town and Country Planning,
807, Annasalai,
Chennai - 600 002.
- 3.The Tahsildar,
Mylapore - Triplicane Taluk,
Chennai - 600 028.
- 4.The Commissioner,
Corporation of Chennai,
Chennai - 600 003.
5. T.Arjunan

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents 1 to 4 from not allowing the 5th respondent in proceeding with the digging of Well and construction in Town Survey, No.184, Block No.41, Thiruvanmiyur Village award costs.

For Petitioner : Mr.Packiaraj
for Ms.P.J. Anitha
For RR1 to 3 : Mr.S.Diwakar, Spl.G.P.
For R4 : Mr.T.C.Gopalakrishnan
For R5 : Mr.Manoj Sreevatsan

ORDER

The petitioner has come forward with this petition directing the respondents 1 to 4 from not allowing the 5th respondent in proceeding with the digging of Well and construction in Town Survey, No.184, Block No.41, Thiruvanniyur Village.

2. The case of the petitioner is that the land in Survey No.184, Block No.41, Thiruvanniyur Village had contained a Well and during the course of time, the Well formed part of public street. The 5th respondent has now purchased a land adjacent to the Well and started digging Well in the public place. Hence, the petitioner has come forward with the writ petition for the relief stated supra.

3. It is represented by the learned counsel for the 4th respondent that the encroachment in the land in question has been removed.

4. Taking note of the above submission of the 4th respondent, the respondents 1 to 4 shall ensure that there is no further encroachment in the land in question and it has to be properly safeguarded, and if required, fencing shall be made.

5. The writ petition is disposed of with the above observation. No costs. Consequently, connected miscellaneous petition is closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

pvs

To

- 1.The Secretary to Government,
Govt. of Tamil Nadu,
Dept. of Local Administration & Water Supplies
Fort St. George, Chennai - 600 009.

WEB COPY

2.The Director of Town and Country Planning,
807, Annasalai, Chennai - 600 002.

3.The Tahsildar,
Mylapore - Triplicane Taluk,
Chennai - 600 028.

4.The Commissioner,
Corporation of Chennai, Chennai - 600 003.

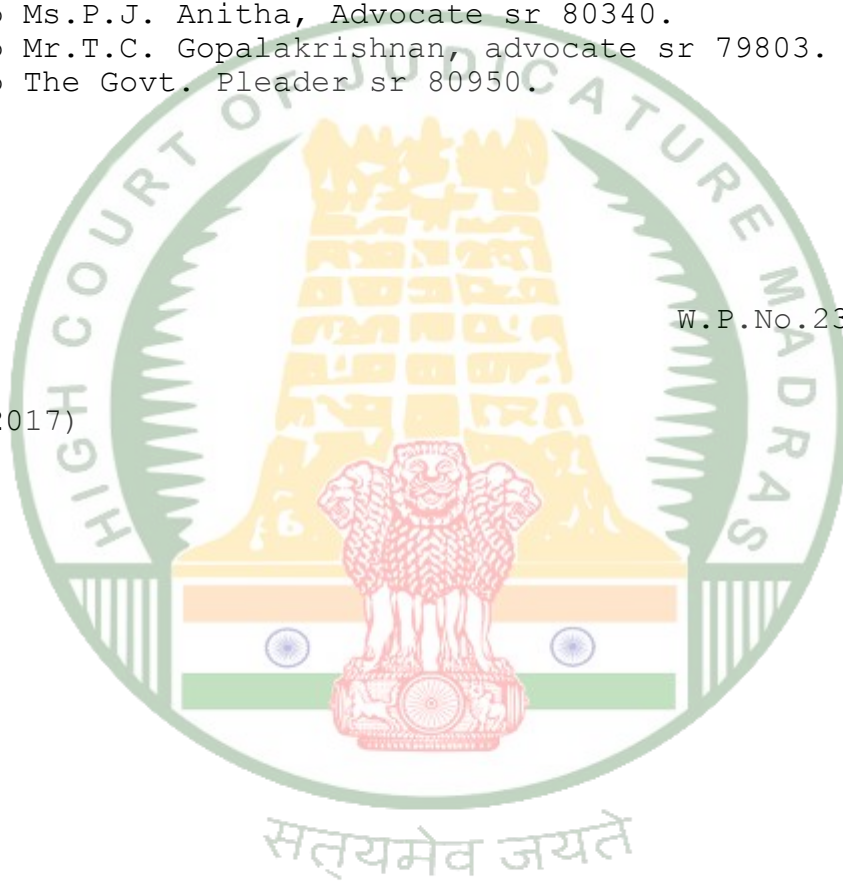
+1 CC to Ms.P.J. Anitha, Advocate sr 80340.

+1 CC to Mr.T.C. Gopalakrishnan, advocate sr 79803.

+1 CC to The Govt. Pleader sr 80950.

W.P.No.23789 of 2014

GP (CO)
SP (06/12/2017)



WEB COPY