

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2017

CORAM

The HON'BLE MS.INDIRA BANERJEE, CHIEF JUSTICE  
AND  
The HON'BLE MR.JUSTICE M.SUNDAR

W.P.No.29196 of 2017  
and W.M.P.No.31457 of 2017

G.Baskaran

.. Petitioner

Vs.

1. The District Collector,  
Thiruvallur District, Thiruvallur.
2. The Member Secretary,  
Chennai Metropolitan Development  
Authority, "Thalamuthu Natarajan  
Building", No.1, Gandhi Irwin Road,  
Egmore, Chennai 600 008.
3. The Commissioner,  
Villivakkam Panchayat Union,  
Ambattur, Chennai 600 053.

4. V.Indira

.. Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of mandamus directing the first respondent, based on the petitioner's representation dated 03.07.2017, to take action against the illegal encroachment and unauthorized construction commenced by the fourth respondent.

For Petitioner

: Mr.R.Sreedhar

For Respondents

: Mr.T.N.Rajagopalan  
Government Pleader (i/c)  
for respondents 1 & 3

ORDER

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

The writ petition has been filed seeking directions on the first respondent to consider the petitioner's representation dated 03.07.2017, and take action against the illegal encroachment and unauthorized construction made by the fourth respondent on a public canal. In the representation, the petitioner has stated that by construction of shops and buildings in Plot No.8, comprised in S.No.374/1A situated at Tirupati Nagar, Vellanur Village, the public canal has been encroached. This obstructs the flow of water during the rainy season.

2. After hearing learned counsel for the parties, we direct the concerned respondents to cause a local inspection of the area in question, i.e., public canal in S.No.374/1A situated at Tirupati Nagar, Vellanur Village, within a fortnight. If any encroachment is found, the official respondents shall take action in accordance with law after putting on notice all concerned, particularly respondent No.4 before us, and conclude the proceedings within two months from the date of inspection.

3. The writ petition is disposed of accordingly. No costs.

s/d-  
Assistant Registrar

True Copy

Sub-Assistant Registrar

To:

1.The District Collector,  
Thiruvallur District, Thiruvallur.

2.The Member Secretary,  
Chennai Metropolitan Development  
Authority, "Thalamuthu Natarajan  
Building", No.1, Gandhi Irwin Road,  
Egmore, Chennai 600 008.

3.The Commissioner,  
Villivakkam Panchayat Union,  
Ambattur, Chennai 600 053.

+1 CC to Mr.R. Sreedhar, Advocate sr 81973.

+1 CC to Govt. Pleader sr 82476

W.P.No.29196 of 2017

SP(04/12/2017)