

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.02.2017

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE M.SUNDAR

W.P. No.2992 of 2017

D.Sankar @ Gowri Sankar ... Petitioner

-vs-

- 1.The Engineer-in-Chief
Water Resources Department,
Public Works Department,
Chepauk, Chennai 600 005.
- 2.The Tamil Nadu Wakf Board,
Rep. by its Chief Executive Officer,
No.1, Jaffar Syrang Street,
Vallal Seethakathi Nagar,
Chennai 600 001.
- 3.Soorsha Makkan Wakf,
Rep. by its Executive Officer,
No.17, Venkatesan Street,
Chepauk, Chennai 600 005. ... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the 1st respondent to consider the petitioner's representation dated 13.04.2016 and conduct enquiry and to remove the encroachment being made in Survey No.192/2, 193/1 and 193/2, present T.S.No.1, 2 and 3, Block No.39 measuring 3 acres 28 cents of Virugambakkam Village, 15/11, Vempuliamman Koil Street, Chennai 600 078, which is classified as water bodies in accordance with law.

For Petitioner : Mr.M.Kumar

For Respondents : Mr.T.N.Rajagopalan
Spl.G.P. For RR 1 and 2

O R D E R

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

This petition, styled as a public interest litigation, is a proxy battle sought to be fought, as it is obvious from the large number of private litigations which are pending. The property belongs to the Wakf and the Wakf is competent to protect its property. The petitioner has nothing to do with the Wakf. Not only that, the petitioner alleges that there is some third party wanting to encroach, but neither the third party is named nor impleaded in the present petition.

Writ petition is dismissed. No costs.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

sra
To

- 1.The Engineer-in-Chief
Water Resources Department,
Public Works Department,
Chepauk, Chennai 600 005.
- 2.The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1, Jaffar Syrang Street,
Vallal Seethakathi Nagar,
Chennai 600 001.

+1cc to the Government Pleader Sr.7734
+1cc to M/S.V.Raghavachari, Advocate Sr.7624

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srg 23/02/2017