

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.1546 of 2013  
and  
M.P.Nos.1 and 2 of 2013

Wood Creek Residents Welfare Association,  
By its Secretary, M.Krishnan ... Petitioner

-Vs-

1. The Commissioner,  
Chennai Corporation, Chennai.
2. The Zonal Officer, Zone 12,  
Chennai Corporation, Chennai.
3. The Asst. Chief Executive Officer,  
Highways Department, Tamil Nadu  
Kamarajar Salai, Chepauk,  
Chennai 600 005.
4. The Divisional Engineer,  
Highways Department,  
Chennai City Roads, Saidapet,  
Chennai 600 015.
5. The Executive Engineer,  
Public Works Department,  
Kosathalaiyar Basin Division,  
Thiruvallur 602 001.

6. Rajasekar Reddy
7. Rajendran

8. Nagarajan

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to forbear the respondents 1 to 5 from in any manner permitting respondents 6 to 8 or any other persons or their men agents attorneys

representatives or servants or any other persons from in any manner to encroach and put up construction in the lands in SF No.136/1A, 136/1B, 136/2 and the Adyar river, river banks and the nearby lands within Nandambakkam Chennai, 600 016.

For Petitioner : Mrs.P.Bagyalakshmi

For Respondents : Mr.A.Nagarajan for RR 1 and 2  
: Mr.R.Vijayakumar  
Additional Government Pleader  
For RR 3 to 5  
: Mr.P.Wilson, Senior Counsel  
for M/s.A.S.Kailasam Associates  
For R-8  
RR 6 - Not Ready in Notice

O R D E R

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

Learned counsel for the petitioner states that the encroachments which were existing were removed when contempt proceedings were filed, but the present petition has been necessitated on account of alleged re-encroachment in the same area coupled with an endeavour to establish a liquor shop at the banks of the Adayar river.

2.Learned counsels appearing for the Corporation /respondent no.1 and Public Works Department / respondent no.5 state that a joint inspection will be carried out of the area in question within fifteen (15) days from today to verify the factual situation and in case, any encroachments are found, action in accordance with law will be taken, after notice to all concerned, within a maximum period of two (2) months thereafter.

3.The aforesaid statement is taken on record and the respondents shall remain bound by the same.

4.We are informed that respondent no.8 has since passed away, then for any such process, if respondent no.8 is a violator, naturally action would be against the legal heirs who would be issued the notice.

Writ petition, accordingly, stands disposed of. No costs. Consequently, M.P.Nos.1 and 2 of 2013 stand closed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

sra

To

1. The Commissioner,  
Chennai Corporation, Chennai.
2. The Zonal Officer, Zone 12,  
Chennai Corporation, Chennai.
3. The Asst. Chief Executive Officer,  
Highways Department, Tamil Nadu  
Kamarajar Salai, Chepauk,  
Chennai 600 005.
4. The Divisional Engineer,  
Highways Department,  
Chennai City Roads, Saidapet,  
Chennai 600 015.
5. The Executive Engineer,  
Public Works Department,  
Kosathalaiyar Basin Division,  
Thiruvallur 602 001.

+1cc to Mr.A.Nagarajan, Advocate, S.R.No.8303

+1cc to M/s.A.S.Kailasam Associates, Advocate, S.R.No.7833

+1cc to the Government Pleader, S.R.No.7855

W.P.No.1546 of 2013

PPA (CO)  
CA(15/02/2017)

सत्यमेव जयते

WEB COPY