

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 17.01.2018
CORAM
THE HON'BLE MS. INDIRA BANERJEE, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.371 of 2018

N.Elumalai, Advocate
S/o.M.Narayanan
having chambers at No.397
New Additional Law Chambers High Court Buildings
Chennai - 600 104. .. Petitioner

Vs.

- 1 The Secretary to Government
Public Works Department
Government of Tamil Nadu
Fort St. George, Chennai-600 009.
- 2 The Executive Engineer
Bridges Department
Greater Chennai Corporation
Chennai-3.
- 3 The Chief Engineer (Operation and Maintenance)
Chennai Metropolitan Water Supply and
Sewerage Board (CMWSSB),
Chindatripet, Chennai-2. .. Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of mandamus directing the 3rd respondent to implement the directions of the 2nd respondent dated 21.11.2017 within a stipulated time.

For Petitioner : Mr.F..Jenaldesrome

For Respondents : Mr.E.Manoharan
Addl. Government Pleader
for respondents 1 and 2
Mr.N.Ramesh
for 3rd respondent

ORDER

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

Mr.E.Manoharan, learned Additional Government Pleader accepts notice on behalf of the Respondent Nos.1 and 2.

2. Mr.N.Ramesh, learned counsel accepts notice on

behalf of the Respondent No.3.

3. This writ petition by way of public interest litigation has been filed by an Advocate seeking a writ of mandamus and/or directions directing the third respondent to remove unwanted trees which have grown on Thiru.Vi.Ka. Bridge across the River Adyar.

4. It is the case of the petitioner that there are water supply pipelines running on the said bridge. Unfortunately, the bridge has not been properly maintained and many unwanted trees have grown, which could damage the pipes running along the bridge and disrupt the water supply system.

5. Our attention has been drawn to a letter from the Executive Engineer, Bridges Department, Greater Chennai Corporation to the Respondent No.3, being the Chief Engineer (Operation and Maintenance) of the Chennai Metropolitan Water Supply and Sewerage Board, wherein it is stated that the trees and bushes are posing a danger to the life of the bridge and if their growth is not controlled and those which have grown are not removed, the bridge will get further weakened and in the event of the bridge collapsing, the water pipelines will also get damaged causing inconvenience to the people.

6. Mr.E.Manoharan, learned Additional Government Pleader appearing on behalf of the respondent Nos.1 and 2 submits that Thiru.Vi.Ka. Bridge has been handed over to the Chennai Metropolitan Water Supply and Sewerage Board and is under the control of the third respondent.

7. The writ petition is disposed of by directing the third respondent to forthwith take steps for removal of the trees and bushes on the Thiru.Vi.Ka. Bridge, on which the water pipelines also run. The trees will positively be removed within two months from the date of communication of this order. No costs. Consequently, W.M.P.No.428 of 2018 is closed.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

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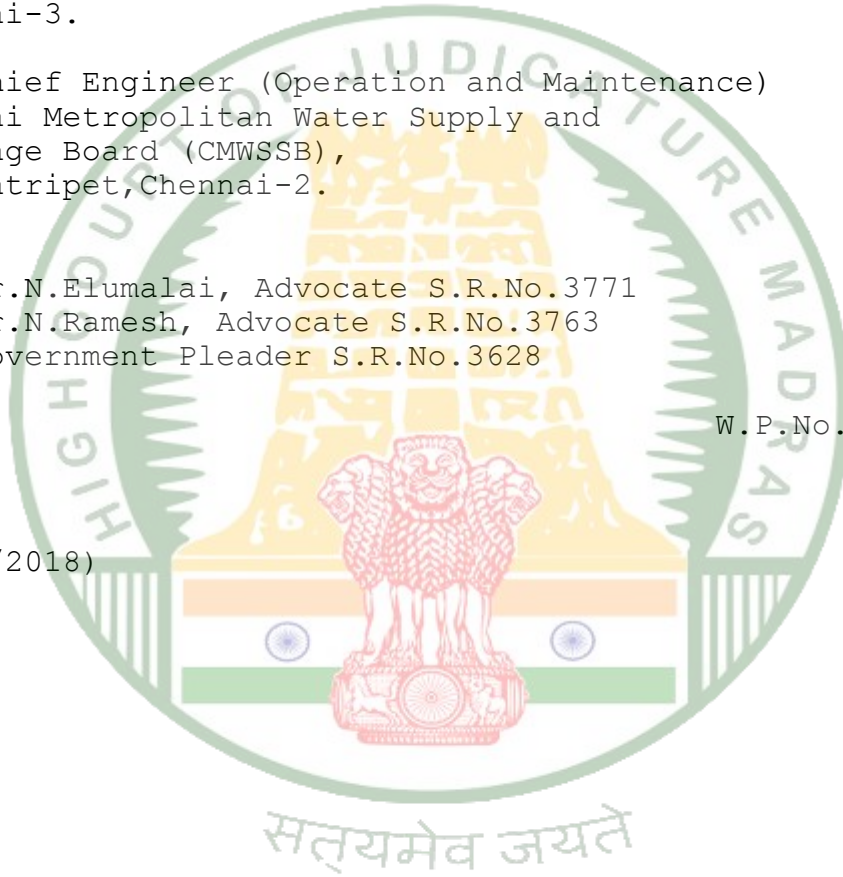
To:

- 1 The Secretary to Government
Public Works Department
Government of Tamil Nadu
Fort St. George, Chennai-600 009.
- 2 The Executive Engineer
Bridges Department
Greater Chennai Corporation
Chennai-3.
- 3 The Chief Engineer (Operation and Maintenance)
Chennai Metropolitan Water Supply and
Sewerage Board (CMWSSB),
Chindatripet, Chennai-2.

+1CC to Mr.N.Elumalai, Advocate S.R.No.3771
+1CC to Mr.N.Ramesh, Advocate S.R.No.3763
+1CC to Government Pleader S.R.No.3628

W.P.No.371 of 2018

MRR(03/02/2018)



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