

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.8.2018

CORAM

THE HON'BLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

Writ Petition No.1143 of 2018

Subramania Nagar and Neighbourhood
Civic and Welfare Association
rep. by its Secretary S.Gopi
New No.5, Old No.3, Subramania Nagar
2nd Street, Kodambakkam
Chennai 600 024. Petitioner

Vs.

1. The Government of Tamil Nadu
rep. by its Principal Secretary
Municipal Administration and Water
Supply Department
Secretariat
Fort St. George
Chennai 600 009.

[Amended vide order dated 04.4.2018
made in WMP No.9745 of 2018]

2. The Commissioner
Corporation of Chennai
Rippon Building
Park Town
Chennai 600 003.

3. The Managing Director
Chennai Metropolitan Water Supply &
Sewerage Board
No.1, Pumping Station Road
Chintadripet
Chennai 600 002.

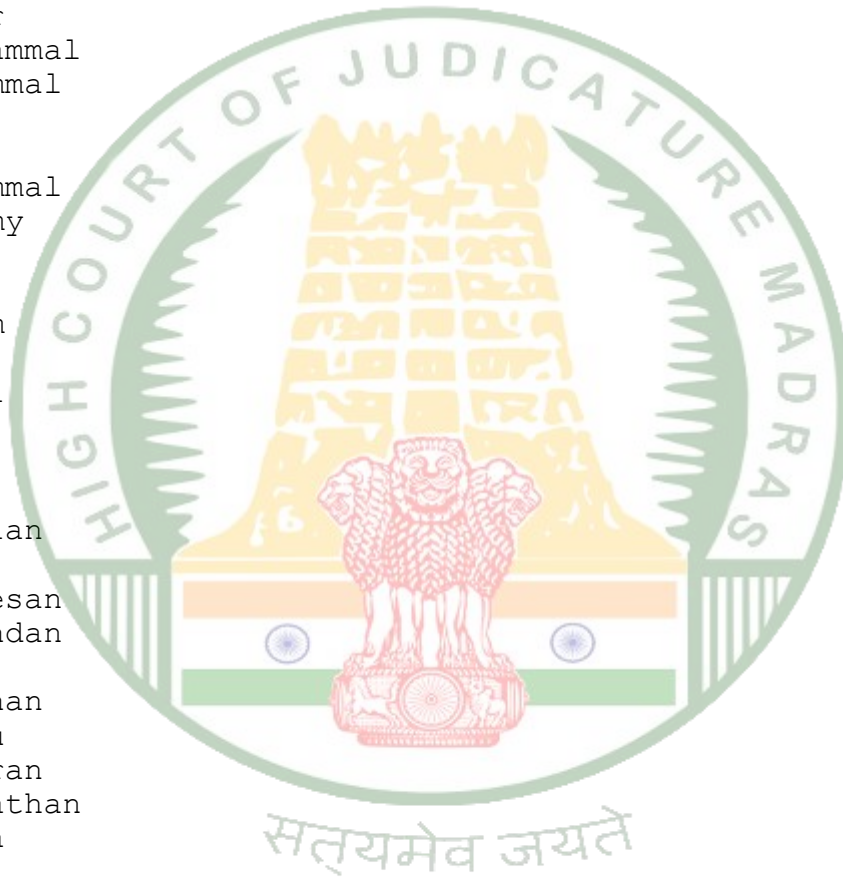
4. The Commissioner of Police
Greater Chennai
Vepery
Chennai 600 007.

[R4 deleted vide order dated 21.01.2018]

5. The Managing Director
Tamil Nadu Slum Clearance Board
Chepauk
Chennai 600 005.

6. The Zonal Officer
Zone X, Corporation of Chennai
No.64, N.S.K. Salai
Kodambakkam
Chennai 600 024.

7. Shankar
8. Pachaiaammal
9. Kanniammal
10. Keavan
11. Prabhu
12. Poosiammal
13. Munusamy
14. Ramesh
15. Vijaya
16. Rajaram
17. Raji
18. Lakshmi
19. Ramu
20. Babu
21. Palani
22. Murugaian
23. Gopi
24. Venkatesan
25. Manikandan
26. Andal
27. Saravanan
28. Alamelu
29. Rajendran
30. Ranganathan
31. Yasodha
32. Balu
33. Easwari
34. Kokila
35. Maari
36. Raja
37. Saamundeswari
38. Saroja
39. Thillaiaammal
40. Veerabhadran
41. Venkatesan
42. Dhanalakshmi
43. Devika
44. Muniappan



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45.Ramakrishnan
46.Palani
47.Krishnaveni
48.Kattaiyan
49.Nithya
50.Selvam
51.Seenuvasan
52.Pavunammal
53.Elangila
54.Rajam
55.Babu
56.Kumar
57.Rajendran
58.Kumar

... Respondents

Petition under Article 226 of the Constitution of India praying for a writ of Mandamus directing the respondents 1 to 6 to take appropriate enforcement action against the respondents 7 to 58 for illegally encroaching the public road, namely Valliammal Garden Main Road, Kodambakkam, Chennai 600 024, situated in Ward 134, Zone X, Corporation of Chennai, by evicting the encroachers and remove all the unauthorised permanent and semi permanent structures put up on the said public road and on the storm water drain.

For Petitioner	:	Mr.Abdul Razack
For Respondent-1	:	Mr.P.Sivashanmugasundaram Spl. Govt. Pleader
For Respondents 2 & 6	:	Mr.Karthik Rajan
For Respondent-3	:	Mr.G.Janakiraman
For Respondent-4	:	Mr.M.Rajasekhar

O R D E R

(Made by Huluvadi G.Ramesh,J)

The petitioner has come up with the above writ petition seeking a direction to the respondents 1 to 6 to take appropriate enforcement action against the respondents 7 to 58 for illegally encroaching the public road, namely Valliammal Garden Main Road, Kodambakkam, Chennai 600 024, situated in Ward 134, Zone X, Corporation of Chennai, by evicting the encroachers and remove all the unauthorised permanent and semi permanent structures put up on the said public road and on the storm water drain.

2. Heard Mr.M.Abdul Razack, learned counsel appearing for the petitioner, Mr.P.Sivashanmuga Sundaram, learned Special Government Pleader appearing for the first respondent,

Mr.Karthik Rajan, learned Standing Counsel appearing for the respondents 2 and 6, Mr.G.Janakiraman, learned counsel appearing for the third respondent and Mr.M.Rajasekhar, learned counsel appearing for the fifth respondent.

3. Admittedly, the road in question has been encroached and the same is also admitted by the Tamil Nadu Slum Clearance Board. It appears that the Slum Clearance Board is taking steps to provide alternate accommodation to the encroachers, provided they are given the complete details of the encroachers by the Corporation.

4. In view of the above, it is for the Corporation authorities to take necessary action for removal of the encroachments and to furnish the required details of the beneficiaries to the Slum Clearance Board and thereafter, it is for the Slum Clearance Board to do the needful in accordance with law.

5. With the above observation, this writ petition is disposed of. There shall be no order as to costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

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To

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Municipal Administration and Water
Supply Department
Secretariat
Fort St. George
Chennai 600 009.

2. The Commissioner
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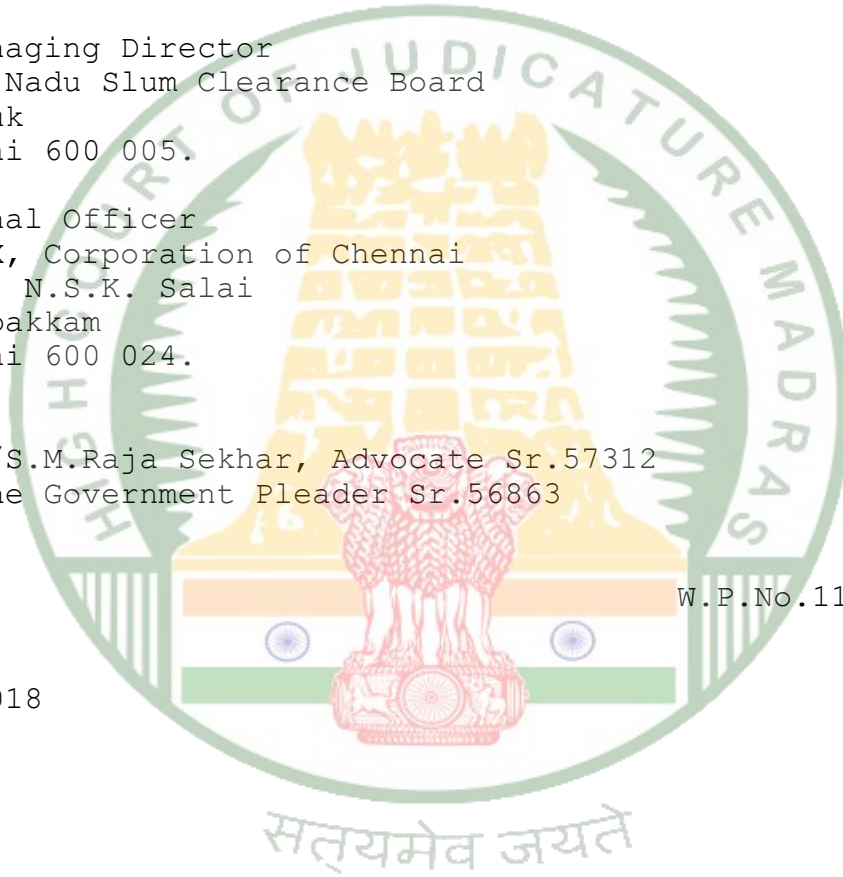
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Chennai 600 024.

+1cc to M/S.M.Raja Sekhar, Advocate Sr.57312
+1cc to the Government Pleader Sr.56863

W.P.No.1143 of 2018.

srg 6/9/2018



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