

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.04.2018

CORAM:

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P. No.25297 of 2015 &
M.P.No.1 of 2015

- 1.Y.Revathy
- 2.Tamilarasi
- 3.Punithavathi

... Petitioners

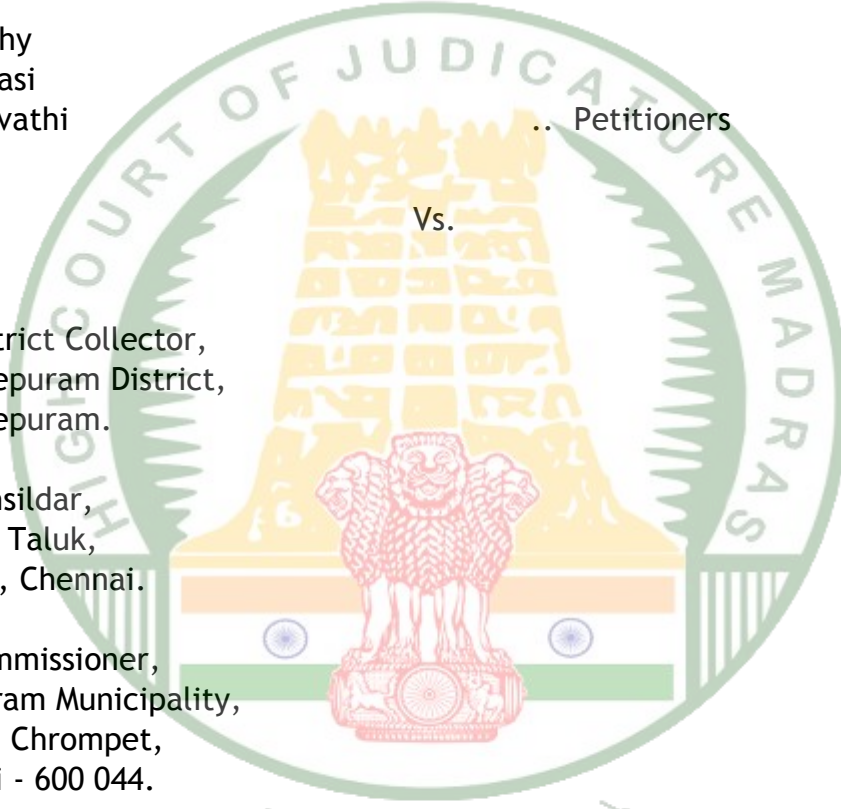
Vs.

- 1.The District Collector,
Kancheepuram District,
Kancheepuram.
- 2.The Tahsildar,
Alandur Taluk,
Alandur, Chennai.
- 3.The Commissioner,
Pallavaram Municipality,
Iruppu - Chrompet,
Chennai - 600 044.
- 4.The Chairman,
Pallavaram Municipality,
Iruppu - Chrompet,
Chennai - 600 044.

- 5.P.Kulandaivel
- 6.K.Subramani
- 7.Jothi

.. Respondents

(Respondents 5 to 7 impleaded on 16.03.2018
in W.M.P.No.4391 of 2018 in W.P.No.25297 of 2015)



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to forbear the respondents from entering into or digging trenches or laying pipes or in any other manner damaging the private property of the petitioner at No.22, Pudhu Street, Pallavaram, Chennai in S.No.177/2, Esa Pallavaram Village.

For Petitioners : Mr.C.Umashankar
For M/s.M.Selvam

For Respondents : Mr.V.Shanmugasundar
Special Government Pleader for R1 & R2
Mr.P.Srinivas
Standing Counsel for R3 & R4
Mr.P.Chandrasekar for R5 to R7

ORDER

Heard Mr.C.Umashankar, learned counsel, representing, M/s.M.Selvam, learned counsel for the petitioner; Mr.V.Shanmugasundar, learned Special Government Pleader for the respondents 1 and 2; Mr.P.Srinivas, learned Standing Counsel for the respondents 3 and 4 and Mr.P.Chandrasekar learned counsel for the respondents 5 to 7 and perused the materials available on record.

2. This Writ Petition has been filed for issuance of Writ of Mandamus forbearing the respondents from entering into or digging trenches or laying pipes or in any other manner damaging the private property of the petitioners at No.22, Pudhu Street, Pallavaram, Chennai in S.No.177/2, Essa Pallavaram Village.

3. The case of the petitioners is that entire extent in Survey No.251B of Essa Pallavaram Village measuring to an extent of 11 1/2 cents was owned by the petitioners and part of the property was already sold to the private respondents 5 to 7. Since an attempt was made by the Pallavaram Municipality for laying a pipeline in the patta land of the petitioners in Survey No.177/2, this Writ Petition has been filed.

4. The learned counsel for the petitioners submitted that the petitioners have no objection for the respondents 3 and 4 for laying pipeline in the common passage 5 x 111 ft in Survey No.177/2, to provide water connection to the respondents 5 to 7. It is further submitted that litigations are pending before the Civil Court and they would resolve the other disputes in the pending suits.

5. In the light of the above submissions, the third respondent is permitted to lay pipeline through common passage 5 x 111 ft in Survey No.177/2, to provide water connections to the respondents 5 to 7.

K.KALYANASUNDARAM, J.

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6. With the above observation, this Writ Petition is disposed of.

There is no order as to costs. Consequently, connected miscellaneous petition is closed.

12/04/2018

Speaking Order / Non Speaking Order

Index : Yes / No.

Internet : Yes / No.

Note : Issue order copy on 13.04.2018

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To

- 1.The District Collector,
Kancheepuram District,
Kancheepuram.
- 2.The Tahsildar,
Alandur Taluk, Alandur, Chennai.
- 3.The Commissioner,
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W.P.No.25297 of 2015

K.KALYANASUNDARAM, J.

This writ petition has been listed today under the caption “for being mentioned” at the instance of the learned counsel for the petitioner.

2. It is represented by the learned counsel for the petitioner that the property is situated in Survey No.25/1B of Essa Pallavaram Village, but in paragraph 3 of the order dated 12.04.2018, it has been wrongly mentioned as Survey No.251B.

3. In the light of the above submissions, the Registry is directed to rectify the error crepted in paragraph No.3 of the order dated 12.04.2018 and issue fresh order copy.

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20.06.2018

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