

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 05.02.2018
CORAM
The HON'BLE MS.INDIRA BANERJEE, CHIEF JUSTICE
AND
The HON'BLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.2444 of 2018

N.P.Sreedharan

.. Petitioner

vs.

1.The Commissioner,
Greater Chennai Corporation,
Ribbon Buildings,
Chennai - 600 003.

2.The Assistant Commissioner,
Corporation of Greater Chennai,
Zone No.7, Ambattuore,
Chennai - 600 052.

3.K.Durai Rajan,

4.S.D.John William

.. Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of mandamus, directing the respondents 1 and 2 to consider the representation dated 3.10.2017, 21.11.2017 and 11.12.2017 and to pass appropriate orders and consequently take action for the removal of encroachment made by the third respondent in Erode Jegannathan Street, Mogappair East, Chennai - 600 107.

For Petitioner : Mr.A.Saravanan

For Respondents : Mr.V.C.Selvasekaran
for respondent Nos.1 & 2

ORDER

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

This writ petition by way of public interest litigation has been filed seeking a writ of mandamus directing respondent Nos. 1 and 2 to consider representations of the

petitioner dated 3.10.2017; 21.11.2017 and 11.12.2017 and to pass appropriate orders for removal of the encroachment made by the third respondent in Erode Jegannathan Street, Mogappair East, Chennai- 600 107.

2. In the writ petition, it is stated that respondent No.3, K.Durai Rajan, a retired Assistant Commissioner of Police has encroached Erode Jegannathan Street and constructed a house in a part of the street in between Plot Nos.239 and 240, which has been numbered as Plot No.239A.

3. Learned counsel appearing on behalf of Chennai Corporation submits that there is no encroachment. However, the construction is wholly unauthorised. Learned counsel appearing on behalf of Chennai Corporation submits that there is no encroachment. However, the construction is wholly unauthorised. Learned counsel appearing on behalf of Chennai Corporation submits that locking and sealing notice of the premises was issued on 22.5.2017, which has been followed by notice dated 06.7.2017 requiring owners/occupiers to vacate the said premises.

4. The writ petition is disposed of by directing the respondent authorities to take steps for removal of the unauthorised construction, if any, in accordance with law, within six months from the date of communication of this order. No costs.

Sd/-

Deputy Registrar

/true copy/

Sub Asst. Registrar

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To:

- 1.The Commissioner,
Greater Chennai Corporation,
Ribbon Buildings, Chennai - 600 003.
- 2.The Assistant Commissioner,
Corporation of Greater Chennai,
Zone No.7, Ambattuore, Chennai - 600 052.

+1CC to A.Saravanan,advocate sr.no.8329

W.P.No.2444 of 2018

GSP(17/02/2018)