

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.08.2019

CORAM :

THE HON'BLE MRS.VIJAYA K.TAHILRAMANI, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE M.DURAIWAMY

W.P. No.4208 of 2006

R.Suresh Kumar

.. Petitioner

v.

1 The District Collector,  
Kancheepuram District,  
Collector's Office,  
Kancheepuram - 631 501

2 Uthandi Panchayat,  
Rep. By its President,  
Uthandi,  
Via Sholinganallur,  
Chennai - 600 119.

3 Tamil Nadu Electricity Board,  
Rep. By its Assistant Engineer,  
Injambakkam,  
Chennai - 600 041

4 R.Ganesan  
5 Gnanasekaran  
6 Thanthoni Naicker  
7 Ragupathi Naicker  
8 Manavalan Naicker  
9 Ranganathan Naicker

10 The Commissioner,  
Corporation of Chennai,  
Rippon Buildings,  
Chennai - 600 002.

(R10 - Imploded as per order dated  
10.11.2017 made in W.M.P.No.6372/2017 in  
W.P.No.4208/2006)

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue of Writ of Mandamus, forbearing the respondents from laying any road or fixing lampposts street and burial ground name boards amidst the residential plots at Plot Nos.201 and 225 and the other plots in the approved layout at VGP Golden Beach, Uthandi, East Coast Road, Kancheepuram District, contrary to the scheme of approved lay out and to remove the lamppost and name board already fixed.

For Petitioner : Mr.L.N.Praghasham

For Respondents : Mr.V.Jayaprakah Narayanan,  
Govt. Pleader (i/c) - for R1  
Mr.S.K.Rameshwar - for R3  
Mr.S.Saravanan - for R10  
No Appearance - for R2, R5 to R7 & R9  
R4 & R8 - Deceased

ORDER

(ORDER OF THE COURT WAS MADE BY M.DURAI SWAMY, J.)

The petitioner has filed the above Writ Petition to issue a Writ of Mandamus, forbearing the respondents from laying any road or fixing lampposts and burial ground name board amidst the residential plots at Plot Nos.201 and 225 and the other plots in the approved layout at VGP Golden Beach, Uthandi, East Coast Road, Kancheepuram District, contrary to the scheme of approved lay out and to remove the lamppost and name board already fixed.

2. The learned counsel appearing for the petitioner submitted that the only prayer that has to be granted to the petitioner is with regard to the removal of the burial ground name board.

3. The learned counsel appearing for the 10<sup>th</sup> respondent, the Commissioner of Corporation, Chennai, submitted that the burial ground name board was removed about four years ago and therefore, the said relief cannot be granted.

4. However, the learned counsel appearing for the petitioner disputed the submission made by the learned counsel appearing for the 10<sup>th</sup> respondent and submitted that the burial ground name board is remaining in the same place till today.

5. The learned counsel appearing for the 10<sup>th</sup> respondent submitted that in the event of the burial ground name board not being removed, the 10<sup>th</sup> respondent undertakes to remove the same,

within a period of two weeks.

6. In view of the submissions made by the learned counsel on either side and also recording the submission made by the learned counsel appearing for the 10<sup>th</sup> respondent, we make it clear that in the event of the burial ground name board not yet been removed, the 10<sup>th</sup> respondent shall remove the same, within a period of two weeks, from the date of receipt of a copy of this order.

With these observations, the Writ Petition is disposed of.  
No costs.

Sd/-  
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

Rj

To

- 1 The District Collector,  
Kancheepuram District,  
Collector's Office,  
Kancheepuram - 631 501
- 2 The Assistant Engineer,  
Tamil Nadu Electricity Board,  
Injambakkam,  
Chennai - 600 041
- 3 The Commissioner,  
Corporation of Chennai,  
Rippon Buildings,  
Chennai - 600 002.

+1cc to M/s.A.L.Gandhimathi, Advocate, S.R.No.71046  
+1cc to Mr.L.N.Praghasham, Advocate, S.R.No.71458  
+1cc to the Government Pleader, S.R.No.72098

W.P.No.4208 of 2006

NRL(CO)  
CS/30/09/2019