

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 07.08.2019

CORAM:

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

Writ Petition No.18587 of 2019
and W.M.P.No.17907 of 2019

1.Mr.Srinivasan
2.Mr.V.Soundarajan
3.Mrs.B.Sathiyapriya
....Petitioners

Vs

The Commissioner,
Chidambaram Municipality,
Chidambaram. Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the respondent their officers, subordinates, agents or any other persons claiming or acting under them from in any manner from entering into petitioners property and disturbing their peaceful possession by committing any works towards laying underground sewage (Water supply and drainage) Chidambaram Town Municipality, Cuddalore District, comprised in Survey Nos.400, (15808 Sq.ft) 393 (9126 Sq.ft) admeasuring an extent of 24,934 sq.ft (herein after will be referred as 'Property')

For petitioners : Mr.G.Abraham Prabhu
For Respondent : Mr.P.Srinivas, St.c

ORDER

Heard the learned counsel for the petitioners and the learned Standing counsel appearing for the Chidambaram Municipality.

2. The grievance of the petitioners is that they are the owners of the property bearing Survey Nos.400 and 393. The respondent herein without giving any notice or permission has entered into the property and started digging the land with an intention to lay underground

sewage pipe line. Since the respondent has trespassed their land without authority and permission, a police complaint was given against the men and agent of the respondent. A representation dated 03.04.2019 was sent to the respondent to stop working in their land without permission. Since the respondent, his men and agent continue to work in their land, hence a writ petition is filed.

3. The learned counsel appearing for the respondent took notice and after getting instruction would submit that due to mistaken identity of the location, the Contractor under the respondent has entered upon the land of the petitioner. After receiving the representation and measuring the area, the respondent has closed the pit and they have no proposal to lay down the sewage pipe line in the petitioner land.

4. The learned counsel appearing for the petitioner endorsed the fact that the respondent men and agents have left the land after closing the pit.

5. In the result, this Writ Petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

rpl
To

The Commissioner,
Chidambaram Municipality,
Chidambaram.

+1cc to Mr.M.R.Srinivas , Advocate SR.No. 68427

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ln (CO)
A.SK(05/09/2019)