

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.10.2019

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P.No.29415 of 2019

Plaza Centre Owners' Association,
(Reg.No.39/2002)

Rep. by its Treasurer,

Mr.V.Kanagasundaram,

214, II Floor, Plaza Centre,

No.129, G.N.Chetty Road,

Chennai-600 006.

... Petitioner

/versus/

1.The Commissioner,

Corporation of Chennai,

Rippon Building, EVR Periyar Salai,

Chennai-600 003.

2.The Area Manager,

Corporation of Chennai,

Zone-IX, Division 113,

Teynampet,

Chennai-600 018.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issue of Writ of Mandamus, directing the respondents 1 and 2 and their officials to inspect the cathedral garden road, Chennai-6 to find out the existing condition of the road and thereafter to decide relaying the road is necessary or not and if it is necessary to relay the road, scrap the existing layer in cathedral garden road, Chennai-6 and not to increase the present height of the roads in future.

For Petitioner : Mr.M.Narayanaswamy

For Respondents: Mrs.Karthika Ashok, St.c

O R D E R

The petitioner's association represents the owners of commercial and residential building at Cathedral Garden Road.

2. Aggrieved by the decision of the respondent officials to re-lay the Cathedral Garden Road without making any efforts to find out the existing condition of the road, the present writ petition is filed seeking direction to the respondent to inspect the road and thereafter to decide re-laying of the road after assessing the existing condition and while doing so to take note of the direction given by this Court in W.P.No.4913 of 2018 dated 09.03.2018.

3. It is now reported by the petitioner herein that the road has been re-laid after due inspection and no grievance for the petitioner herein regarding the manner in which the road has been laid. However, a request has been made by the petitioner counsel that the guidelines of the Division Bench of this Court rendered in W.P.No.4913 of 2018 should be scrupulously followed by the respondent in future while re-laying the road. When the Division Bench of this Court has already made an observation, it is needless for the single judge to reiterate the same. It is for the authority to prudently act upon the direction of this Court and if they failed to do so, the aggrieved parties always have right to approach this Court.

4. With the above observation, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

rpl
To

1.The Commissioner,
Corporation of Chennai,
Rippon Building, EVR Periyar Salai,
Chennai-600 003.

2.The Area Manager,
Corporation of Chennai,
Zone-IX, Division 113,
Teynampet,
Chennai-600 018.

+1cc to Mrs.Karthika Ashok, Advocate SR.88601
+1cc to Mr.M.Narayanaswamy, Advocate SR.88401

W.P.No.29415 of 2019

MR(CO)
CB(27/11/2019)