

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.09.2020

CORAM :

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.27789 of 2013 and
M.P. No.1 of 2013

N. Ulaganathan

...Petitioner

.vs.

1. The Secretary to the Government,
Secretariat,
St. George Fort, Chennai - 600 009.

2. The Commissioner,
Chennai Corporation,
Ripon Building, Chennai - 600 003.

3. The Commissioner of Police,
Commissioner Office,
Egmore, Chennai - 600 008.

4. M.C. Munusamy

...Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuing a Writ of Mandamus forbearing the 4th respondent from putting up bus shelter in petitioner's property in open space area of commercial complex in this writ Petition.

For Petitioner : No Appearance

For Respondents: Mrs. K. Bhuvaneswari
Addl. Govt. Pleader - for R1 & R3
Mrs. Karthikka Ashok,
Standing Counsel - for R2
Mr. R. Vasudevan - for R4

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O R D E R

Consistently, there is no representation for the petitioner. The petitioner has filed the above Writ Petition to issue a Writ of Mandamus forbearing the 4th respondent from putting up bus shelter in petitioner's property in open space area of commercial complex.

2. It is the case of the petitioner that the respondents are trying to put up bus shelter in the open space left for parking of the vehicle in the petitioner's land.

3. The learned Standing Counsel appearing for the 2nd respondent submitted that the respondents had already put up bus shelter in the road margin and not in the land belonging to the petitioner.

4. The learned counsel appearing for the 4th respondent also filed a counter stating that the bus shelter was put up on the road margin and not in the petitioner's land. The 4th respondent has also produced the photograph to support his case.

5. In view of the specific submissions made by the learned counsel appearing for the respondents 2 and 4 to the effect that the bus shelter has been put up only in the road margin and not in the petitioner's property, the relief sought for in the Writ Petition cannot be granted. Accordingly, the Writ Petition is dismissed. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Secretary to the Government,
Secretariat,
St. George Fort, Chennai - 600 009.

2. The Commissioner,
Chennai Corporation,
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3. The Commissioner of Police,
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+1cc to the Government Pleader, Sr.No.28987

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