

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.09.2020

CORAM

THE HON'BLE MR.JUSTICE M.M.SUNDRESH
and
THE HON'BLE MRS.JUSTICE R.HEMALATHA

W.P.No. 9929 of 2020

R.Ravindra Ram

... Petitioner

Vs.

1.The Commissioner,
Greater Chennai Corporation,
Rippon Buildings, Chennai - 03.

2.The Executive Engineer,
Zone - 4, Greater Chennai Corporation,
Thondiarpet High Road, Thondiarpet,
Chennai - 21.

3.The Assistant Engineer,
Ward - 35, Division - 9,
Zone - 4, Greater Chennai Corporation,
Errukencherry, Chennai - 118.

4.K.Sathyanathan

5.S.Chitra

... Respondents

Petition under Article 226 of the Constitution of India praying for a writ of mandamus directing respondents 1 to 3 to remove the unauthorized construction made by the respondents 4 and 5 by encroaching the public road situated at No.9, Balakrishnan Street, Nehru Nagar, Errukencherry, Chennai - 118.

For Petitioner .. Mr.R.Udhyakumar

For Respondents .. Mr.K.Rajasrinivas for R1 to R3
Mr.B.Ganeshamoorthy for R4 & R5

ORDER

(Order of the Court was made by M.M.SUNDRESH, J.)

Seeking a direction to respondents 1 to 3 to remove the unauthorized construction made by respondents 4 and 5, the present writ petition has been filed.

2. We have heard Mr.R.Udhayakumar, learned counsel appearing for the petitioner; Mr.K.Rajasrinivas, learned counsel appearing for respondents 1 to 3 and Mr.B.Ganeshamoorthy, learned counsel appearing for respondents 4 and 5.

3.Learned counsel appearing for respondents 1 to 3/Corporation submitted that the lock and seal notice has been issued on 28.08.2020, which is scheduled to expire on 27.09.2020 and thereafter, the consequential follow up action will be taken.

4.Learned counsel appearing for respondents 4 and 5 would submit that liberty may be given to proceed in accordance with law.

5.Inasmuch as the action has already been taken by respondents 1 to 3/Corporation, we are of the view that no further orders are required. However, liberty is given to respondents 4 and 5 to take appropriate action in accordance with law, if so desire.

6.With the above observation, the writ petition stands closed. No costs.

Sd/-

Assistant Registrar(CS I)

//True Copy//

Sub Assistant Registrar

mmi/ssm

To

- 1.The Commissioner,
Greater Chennai Corporation,
Rippon Buildings, Chennai - 03.
- 2.The Executive Engineer,
Zone - 4, Greater Chennai Corporation,
Thondiarpet High Road, Thondiarpet,
Chennai - 21.
- 3.The Assistant Engineer,
Ward - 35, Division - 9,
Zone - 4, Greater Chennai Corporation,
Errukencherry, Chennai - 118.

+1cc to Mr.K.Raja Shirinivas, Advocate, sr no.30743

+1cc to Mr.B.Ganesha Moorthy, Advocate, sr no.30655

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SPD(CO)

RMP(12/10/2020)