



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

WRIT PETITION NO.17719 OF 2021

T. Rajendran

...Petitioner

-Vs-

1. The Commissioner
The Greater Chennai Corporation Commissioner Officer,
Ripon Building, 1st Floor
Raja Muthaih Rd, Kannappar Thidal,
Periyamet,
Chennai-600003.
2. The Collector
Office of the Collectrate Chennai,
Singaravelan Maligai,
No.62, Rajaji Salai, 4th floor,
Chennai-600001.
3. The Tahsildar
Office of the Tahsildar office,
Old Mahabaliburam Rd,
TNHB, Sholinganallur,
Chennai-600119.
4. The Chairman
Chennai Metropolitan Development Authority
Thalamuthu Natarajan Building,
No.1, Gandhi Irwin Road,
Egmore,
Chennai-600008.



WEB COPY

5. Block Development Officer
Block Development Office (BDO)
No.20, Chitlapakkam main Rd,
Kamaraj colony, Nehru Nagar,
Chitlapakkam, Chennai-600064.
6. The Zonal Officer
Zone XV, No.120, Rajiv Gandhi Salai,
Old Mahabalipuram Rd,
Sholinganallur, Chennai-600119.
7. TVS Emerald Hamlet Premium City Plots
No.84/6B, Vindrasi Amman Kovil St,
Karappakkam,
Chennai-600097.
8. Leo N.Sundaram S/o. Narayanasawmi
Vaikunda Sundaram Company Ltd.
Vindrasi Amman Kovil St,
Krappakkam,
Chennai-600097.

(Respondents 2, R3 & R5 deleted vide Court
order dated 24.08.2021 made in WP No.
17719 of 2021)

...Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of mandamus or any other appropriate writ, order or direction in the nature of writ directing the 1st, 2nd, 3rd, 4th, 5th & 6th respondents to consider petitioner's representation on 22.03.2021 and to open the common road access him to do the agriculture in my property.

For Petitioner : R. Yuvaraj

For Respondents : Mrs.Veena Suresh,
Standing Counsel for R4

Ms.P.T.Ramadevi
Standing Counsel for R1 and R6



O R D E R

This writ petition has been filed for the issue of a writ of mandamus directing the respondents to consider the representation made by the petitioner dated 22.03.2021, wherein the petitioner has requested for uninterrupted access through the common road to his agricultural land.

2. The learned standing counsel appearing on behalf of the Chennai Corporation circulated the written submissions of the 6th respondent. The relevant portions in the written submissions are extracted hereunder.

" 4. I respectfully submit that the road belongs to the Greater Chennai Corporation having Survey Nos.69/3A1, 69/3A2B, 69/3B2B, 69/3B1, 69/4A, 69/4B, 70/3A, 71/1A, 71/1B is fully approachable road portion which is in front of the petitioner's property having Survey Nos.67/3, 67/4, 71//4A, 71/4B, 73/2, 73/2 &73/1A.

5. I respectfully submit that the site was inspected by the Assistant Commissioner, Zone-XV, The Executive Engineer, Zone-XV, The Assistant Executive Engineer Unit-45 and the Divisional Engineer Ward-197 on 27.08.2021 and found that there is a accessible road in existence that is approachable to the petitioner's property. I further submit that officials have spoken to the representative of the TVS Emerald, Thiru.Velumani and they submitted that they are much co-operative with the petitioner. The layout of the plots is attached along."

3. In view of the specific stand taken by the 6th respondent, it is seen that there is an access from the common road to the agricultural land belonging to the petitioner. If the petitioner is aggrieved and he is questioning the right of the private respondents with regard to the formation of the lay out, it is left open to the petitioner to work out his remedy before the appropriate Civil Court.



WEB COPY

4. This writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS-VII)

// True Copy //

Sub Assistant Registrar

KST

To

1. The Commissioner
The Greater Chennai Corporation Commissioner Officer,
Ripon Building, 1st Floor
Raja Muthaih Rd, Kannappar Thidal,
Periyamet, Chennai-600003.
2. The Chairman
Chennai Metropolitan Development Authority
Thalamuthu Natarajan Building,
No.1, Gandhi Irwin Road,
Egmore, Chennai-600008
3. The Zonal Officer
Zone XV, No.120, Rajiv Gandhi Salai,
Old Mahabalipuram Rd,
Sholinganallur, Chennai-600119.

+1cc to Ms.P.T.Ramadevi, Advocate, S.R.No.43568

W.P.No.17719 of 2021

SS(CO)
RLP(23/09/2021)