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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.08.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN
and
THE HONOURABLE Mrs. JUSTICE T.V.THAMILSELVI

W.P. No. 17170 of 2021
and
W.M.P. No. 18195 of 2021

N.Ramachandran

... Petitioner

Vs.

1. The Commissioner
Greater Chennai Corporation
Ripon Building, EVR Salai
Chennai - 600 003.
2. The Zonal Officer
Zone-XV (Sozhinganallur)
No.120, Rajiv Gandhi Salai
(Old Mahabalipuram Road)
Shozhinganallur
Chennai - 600 119.
3. The Tahsildar, Sholinganallur
Old Mahabalipuram Road
TNHB, Sholinganallur
Chennai, Tamil Nadu 600 119.
4. K.Saravanan
5. K.Suresh

... Respondents

Petition filed under Article 226 of the Constitution of India, seeking to issue a Writ of Mandamus, directing the Respondent Nos. 1 to 3 to consider the Petitioner's representation dated 11.04.2021 seeking to take action and remove the encroachments made by the cars and concrete benches constructed on the 30 feet public road at Lakshmi Nagar Extension, II Street, Nehru Main Road, Sholinganallur in front of Petitioner's property at Survey No. 486/1 and also to ensure that no cars are parked on the 30 feet Road blocking Petitioner's entrance to the property.



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For Petitioner : Mr. J.Sivanandaraj
for Mr.K.Mahendran
For Respondents : Mr. P.Balathandayutham (For R3)
State Government Counsel
Mr. R.Gopinath (For R1&R2)

O R D E R

(Order of the Court was delivered by N.KIRUBAKARAN, J)

This matter has been heard through "Video Conference".

2. The Petitioner has come before this Court seeking Writ of Mandamus to take action and remove the encroachment made by the private Respondents by way of concrete benches as well as parking vehicles in front of the Petitioner's property, comprised in Survey No. 486/1, situated in 30 feet public road at Lakshmi Nagar Extension, II Street, Nehru Main Road, Sholinganallur.

3. Heard Mr. J.Sivanandaraj, Learned Counsel for the Petitioner, Mr. R.Gopinath, Learned counsel for the First and Second Respondents and Mr. P.Balathandayutham, Learned State Government Counsel appearing for the Third Respondent, and perused the materials placed on record.

4. At this juncture, notice to the Fourth and Fifth Respondents is dispensed with, as this Court directs only the Official Respondents to make a join inspection and take action against the encroachers, after issuing due notice and affording opportunity of personal hearing to them.

5. Taking into consideration that access to the Petitioner's property, comprised in Survey No. 486/1, situated in 30 feet public road at Lakshmi Nagar Extension, II Street, Nehru Main Road, Sholinganallur, is blocked by the encroachments made by the Private Respondents, as evident from the records, especially, photographs produced before this Court, this Court only directs the Second and Third Respondents to cause a joint inspection, after giving notice to the Petitioner as well as the Private Respondents and find out as to whether encroachments have been made on the public road by the Private Respondents. If any encroachment in respect of the subject property is found to be noted, the same is directed to be removed within a period of twelve weeks from the date of receipt of a copy of this order.



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6. With the above directions, this Writ Petition is disposed of. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

Maya

To

- 1.The Commissioner
Greater Chennai Corporation
Ripon Building, EVR Salai
Chennai - 600 003.
- 2.The Zonal Officer
Zone-XV (Sozhinganallur)
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Chennai - 600 119.
- 3.The Tahsildar, Sholinganallur
Old Mahabalipuram Road
TNHB, Sholinganallur
Chennai, Tamil Nadu 600 119.

+lcc to Mr.K.Mahendran, Advocate Sr No.41405
+lcc to Mr.R.Gopinath, Advocate Sr No.41536
+lcc to Government Pleader Sr No.42067

W.P. No. 17170 of 2021

GPL (CO)
PR (16/09/2021)