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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:19.08.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P.No.17398 of 2021

P.Mari

.. Petitioner

Vs

1. The District Collector,
Thiruvallur District,
Thiruvallur.
2. The Member Secretary,
CMDA,
Talamuthu Nadarajar Maligai,
Egmore, Chennai-1.
3. The Director,
Town and Country Planning Department,
Chengalvarayan Building,
4th Floor,
807, Anna Salai,
Chennai - 600 002.
4. The Block Development Officer,
Villivakkam Panchayath Union,
Ambattur, Chennai-53.

5.Alamelu

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a writ of mandamus directing respondents 1 to 4 to remove the unauthorised construction put up by the 5th respondent and protect the catchment area based on the representation dated 12.04.2021.

For Petitioner

: Mr.K.S.Ilangovan



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For Respondents

: Mr.P.Muthukumar
Counsel for the State
for respondent Nos.1, 3 and
4

ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

The matter pertains to the Second Master Plan prepared in May, 2013 in respect of Red Hills and Puzhal lakes catchment areas.

2. The petitioner in this public interest litigation submits that the construction of walls and the delineation of roads may not be appropriate.

3. Apart from the fact that the Master Plan for Chennai Metropolitan Area, 2026 having been prepared by the Chennai Metropolitan Development Authority, a specialised body, in accordance with the statutory authority that the body wields, in matters pertaining to policy decisions arrived at in such regard, the courts will scarcely interfere. Despite the petitioner's apparent grievance, there does not appear to be anything specific that the petitioner complains of, which may be perceived to be injurious to the environment or against the reasonable interest of the local residents.

4. Accordingly, the petition is not entertained as it is not found to be worthy, though the petitioner is left free to make any representation to the appropriate authorities in respect of any matter that adversely affects the petitioner. It must also be said that what may adversely affect an individual may not stand in the way of a plan being implemented in larger public interest.

5. W.P.No.17398 of 2021 is disposed of with the above observation. There will be no order as to costs.

s/d
Assistant Registrar(CS IV)

True Copy

Sub-Assistant Registrar

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To:

1. The District Collector,
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4. The Block Development Officer,
Villivakkam Panchayath Union,
Ambattur, Chennai-53.

+1cc to Mr.Achari Antoni Associates, Advocate, SR.No.41867
+1cc to Government Pleader, SR.No.41780

W.P.No.17398 of 2021

MG(CO)
PM(03/09/2021)