

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.04.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, THE CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.NO.17037 OF 2020

Anna Nagar West Extension Association
Rep. By its Secretary, Mr.P.Vadivel,
Having Office at R.13B, Park Road,
Anna Nagar West Extension,
Chennai - 600 101.

.. Petitioner

-vs-

1. The District Collector,
Collectorate of Chennai (Chennai Central),
No.62, Singaravelar Maligai,
Rajaji Salai, Chennai- 600 001.
2. The Tahsildar,
Ambattur Taluk,
Ambattur, Chennai - 600 053.
3. The Revenue Divisional Officer,
Ambattur,
Chennai - 600 101
4. The Commissioner,
Greater Chennai Corporation,
Ripon Buildings, No.1131,
EVR Periyar Salai, Park Town,
Chennai - 600 003.
5. The District Collector,
Thiruvallur District,
Thiruvallur.
6. The Zonal Officer,
Zone-7, Ambattur,
Greater Chennai Corporation,
Chennai
(R6 Suo-motu impleaded vide order
dt.02.12.2020 made in WP No.
17037/2020)

.. Respondents

Prayer:-

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the respondents 1 and 2 to consider various Petitioner's representation dated 27.08.2016 and subsequent reminders including the latest representation dated 21.08.2020 within a time frame as prescribed by this Court and further direct the Respondents 1 and 2 to remove the encroachment in the water canal along Padi-Otteri Nullah adjacent to Anna Nagar Extension area.

For Petitioner : Mr.B.Deepak Narayanan

For Respondents 1 to 3 : Ms.R.J.Radhika
& 5 Govt.Advocate

For Respondents 4 & 6 : Mr.R.Gopinath

ORDER

(Made by Senthilkumar Ramamoorthy, J.)

The writ petitioner complains of an encroachment in the water canal along the Padi - Otteri Nullah adjacent to Anna Nagar Extension area in Chennai. It is stated that the Otteri Nullah was serving as a water way for many years and prevented flooding in the adjoining residential area. On account of encroachments and the dumping of garbage, it is stated that the width of the Nullah has decreased considerably. In these circumstances, the petitioner states that the matter was brought to the attention of the official respondents but that no action was taken to remove such encroachments. Consequently, it appears that multiple representations were submitted, the last of which was submitted on 21.08.2020.

2. Learned Government Advocate, Ms.Radhika, appears on behalf of respondents 1 to 3 and the Greater Chennai Corporation is also represented through its Standing Counsel. Learned Standing Counsel for the Greater Chennai Corporation states that the representation of the petitioner would be considered and, if it is found that there are encroachments, appropriate action would be taken in accordance with law.

3. Accordingly, without examining the merits of the matter, the petitioner is permitted to submit a fresh representation to the fourth respondent within a period of two weeks from the date of receipt of a copy of this order. Such representation will be considered and disposed of by the fourth respondent within a period of six weeks from the date of receipt thereof. If, upon such consideration, the fourth respondent concludes that there are encroachments as alleged by the petitioner, appropriate

action shall be taken by the fourth respondent in accordance with law to remove the encroachments. Such exercise shall be completed within a period of four months from the disposal of the representation of the petitioner.

W.P.No.17037 of 2020 is disposed of on the above terms without any order as to costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

sra

To

1. The District Collector,
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5. The District Collector,
Thiruvallur District, Thiruvallur.
6. The Zonal Officer, Zone-7, Ambattur,
Greater Chennai Corporation, Chennai

+1cc to Mr.R.Gopinath, Advocate, S.R.No.26630
+1cc to the Government Pleader, S.R.No.26780

W.P.No.17037 of 2020

SSD(CO)
CS/09/07/2021