

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.02.2021

CORAM :

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

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.24934 of 2019

V.Sugumaran

... Petitioner

Vs.

1 The District Collector
Chennai District.

2 The Commissioner
Greater Chennai Corporation
Ripon Building
Chennai 600 003

3 The District Revenue Officer
Chennai Central Zone
Chennai 600 101.

4 The Thasildar
Ambattur.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to remove the encroachments in the Kulam (Pond) being a water body situate in Town Survey No.84, Block No.27 of Korattur Village, Ambattur Taluk, Chennai District and preserve the pond.

For Petitioner : Mr.S.Senthilnathan

For Respondents : Mr.V.Jayaprakash Narayanan
State Government Pleader
for respondent Nos.1, 3 & 4

: Mr.M.Ganesan
for respondent No.2

ORDER

(Order of the Court was made by SENTHILKUMAR RAMAMOORTHY,J.)

The writ petitioner seeks a direction to the respondents to remove the encroachments in the pond situated in T.S.No.84, Block No.27 of Korattur Village, Ambattur Taluk, Chennai District. The petitioner states that a representation was given

in this regard on 11.02.2019, but no action has been taken thereon.

2. In several cases of this nature, this Court observed that it is not inclined to exercise discretionary jurisdiction in public interest litigation unless the matter involves significant public interest.

3. Accordingly, without examining the merits of the representation dated 11.02.2019, the official respondents concerned are directed to dispose of the same by a speaking order within a period of six weeks from the date of receipt of a copy of this order, after providing a reasonable opportunity to the affected parties. In the event the petitioner is aggrieved by such decision, it is open to the petitioner to pursue his remedies in accordance with law, otherwise than by a public interest litigation, after establishing his locus standi in that regard.

4. W.P.No.24934 of 2019 is disposed of on the above terms. There will be no order as to costs.

Sd/-

Assistant Registrar (C.S.III)

/True Copy/

Sub Assistant Registrar

To:

- 1 The District Collector,
Chennai District.
- 2 The Commissioner
Greater Chennai Corporation
Ripon Building
Chennai 600 003
- 3 The District Revenue Officer
Chennai Central Zone
Chennai 600 101.
- 4 The Thasildar
Ambattur.

+1cc to Mr.M.Ganesan, Advocate SR.NO.7897
+1cc to Mr.M.Senthilnathan, Advocate SR.NO.7827
+1cc to The Government Pleader SR.NO.8068

AKM/23.02.21/ 2P-8C/

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