



IN THE HIGH COURT OF JUDICATURE AT MADRAS  
DATED : 20.07.2021  
CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.26182 of 2019  
and  
W.M.P.No.25544 of 2019

Mr. Iniyan Selvam

... Petitioner

Vs.

1.The Commissioner  
Corporation of Greater Chennai,  
Rippon Buildings, Chennai.

2. The Commissioner of Police,  
Office of the Commissioner of Police,  
132, EVK Sampath Road, Vepery,  
Chennai - 600 007.

3. The Additional Commissioner of Police,  
( Traffic)  
132, EVK Sampath Road, Vepery,  
Chennai - 600 007

4. The Joint Commissioner of Police(Traffic)  
North,  
132, EVK Sampath Road, Vepery,  
Chennai - 600 007.

5. The Marlecha Trust  
Represented by its Trustee,  
Mr.Marlecha,  
48, Gopala Menon Street.  
Choolai, Chennai -600 112.

... Respondents

Prayer:Petition filed under article 226 of the Constitution of India praying to issue a writ of mandamus to direct the respondents 1 to 4 to take immediate action to remove and prevent unauthorized/illegal parking of two/four wheelers by the 5<sup>th</sup> respondent, its men, agents, servants and subordinates at Gopal Menon Street, Choolai, Chennai.

|                        |                                |
|------------------------|--------------------------------|
| For Petitioner         | : Mr.Sharath Chandran          |
| For Respondents 1 to 4 | : Mr.A.Gopinath                |
|                        | Government Advocate (Crl.Side) |
| For Respondent 5       | : Mr. S. Ramesh Kumar          |



O R D E R

( This case has been heard through video conference)

This petition is filed seeking for an direction directing the respondents 1 to 4 to take immediate action to remove and prevent unauthorized/illegal parking of two/four wheelers by the 5<sup>th</sup> respondent, its men, agents, servants and subordinates at Gopal Menon Street, Choolai, Chennai.

2. The case of the petitioner is that he is residing in Gopala Menon Street, Vepery Chennai and the said street is an connecting Kalathiappa Mudali Street an arterial road in Purasawalkam,. In and around there are severals schools situated and the street has a variable width and at the entrance of Hunters Road is about 25 feet. The end of the street, at the junction of Kalathiappa Mudali Street is about 12 feet and it was sold to Marlecha family/5<sup>th</sup> respondent herein, who has converted the said land into recreational community hall. Due to the conversion of the place into a community hall nearly 100 two wheelers are parked on either side of the street with the result that the residents cannot freely move in an out of their own homes. Hence the petitioner filed a representation before the respondents 2 to 4 on 08.07.2019 regarding the said issue but no action has been taken not any order passed. Therefore the present petition is filed seeking a direction restraining the 5<sup>th</sup> respondent and their officials from parking any two/four wheelers in the said street.

3. The learned counsel for the petitioner submits that the public street is transformed into a parking lot for a private party and causing much hindrance to the general public. He further submits that inspite of filing of representation to the respondents 2 to 4 they have not taken any action, which led to filing of the present petition and prays this Court may issue a direction to the respondents 2 to 4 to consider the petitioner's representation dated 08.07.2019.

4. Mr.A.Gopinath, learned Government Advocate appearing for the respondents 1 to 4 would submit that the 4<sup>th</sup> respondent has filed a status report wherein it has been stated that four cases were also registered due to the illegal act of the 5<sup>th</sup> respondent. Hence, this Court may issue a direction to the 5<sup>th</sup> respondent against the parking of vehices which causes much hindrance to the ingress and egress of the residents in the said area.

5. In the above facts and a representation having already been filed by the petitioners, there shall be a direction to the respondents/police to consider the petitioner's representation after hearing 5<sup>th</sup> respondent on its own merits and pass orders in accordance with law as expeditiously as possible from the date of receipt of copy of this order.



6. The Writ petition is disposed of with the above direction. Consequently connected miscellaneous petitions are closed.

WEB COPY

Sd/-  
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

smn  
To.

1.The Commissioner  
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Chennai - 600 007.

+1cc to Mr.Govind chandrasekar , Advocate SR.No. 35046

+1cc to Mr.S.Ramesh Kumar , Advocate SR.No. 34780

W.P.No.26182 of 2019  
and

W.M.P.No.25544 of 2019

GSM(CO)  
A.SK(19.08.2021)