



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.03.2022

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THE HONOURABLE MR.JUSTICE T.RAJA

and

THE HONOURABLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

W.P.No.5439 of 2022

M.Ravichandran

... Petitioner

-vs-

1. The Commissioner,
Greater Chennai Corporation,
Ripon Building,
Chennai-600 003.
2. Zonal Officer 9,
Greater Chennai Corporation,
Ripon Building,
Chennai-600 003.
3. Executive Engineer Z-9,
Greater Chennai Corporation,
Ripon Building,
Chennai-600 003.
4. Assistant Executive Engineer Unit-24,
Greater Chennai Corporation,
Ripon Building,
Chennai-600 003.
5. Assistant Engineer Divn.118,
Greater Chennai Corporation,
Ripon Building,
Chennai-600 003.
6. Junior Engineer Divn.118,
Greater Chennai Corporation,
Ripon Building,
Chennai-600 003.
7. S.Premkumar



8. Chandra

9. K.Samivel

10. J.Saralakumari

11. R.Ethiraj

12. K.Raman

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking for issuance of a Writ of Mandamus, directing the respondents 1 to 6 to take action against the respondents 7 to 12 for encroaching the storm water drain and the footpath of Varadarajapuram Main Road, Teynampet, Chennai-600 018 and consequently, directing the respondents 1 to 6 to remove the present encroachment and prevent any/or other future encroachments of the said Varadarajapuram Main Road, Teynampet, Chennai-600 018.

For Petitioner : Mr.T.Mohan
for Mr.Abinav Parthasarathy

For Respondents : Mr.R.Gopinath,
1 to 6 Standing Counsel

ORDER

(Order of the Court was made by T.RAJA, J.)

This Writ Petition has been filed seeking issuance of a Writ of Mandamus, directing the respondents 1 to 6 to take action against the respondents 7 to 12 for encroaching the storm water drain and the footpath of Varadarajapuram Main Road, Teynampet, Chennai-600 018 with a consequential direction, directing the respondents 1 to 6 to remove the present encroachment and prevent any/or other future encroachments of the said Varadarajapuram Main Road, Teynampet, Chennai-600 018.

2. When the matter was called today, learned Counsel for the petitioner drawing our attention to the photographs enclosed with the typed set of papers at Page Nos.43 to 45 stated that it is writ large, the encroachments made by the encroachers are visible from the photographs, therefore, there would not be any delay or hesitation on the part of the officials respondents to remove the same.



3. Learned Standing Counsel for the respondents 1 to 6 agreeing with the said statement of the learned Counsel for the petitioner, sought for 4 weeks time to remove the encroachments.

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4. In view of the above, the official respondents are directed to take action against the respondents 7 to 12 for encroaching the storm water drain and the footpath of Varadarajapuram Main Road, Teynampet, Chennai-600 018, within a period of four weeks from the date of receipt of a copy of this Order and prevent the other future encroachments in the said Varadarajapuram Main Road, Teynampet, Chennai-600 018. Needless to mention that notice to be issued to the alleged encroacher before action is taken.

5. With the above direction, the Writ Petition is disposed of. No costs.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

tsi
To

1. The Commissioner,
Greater Chennai Corporation,
Ripon Building,
Chennai-600 003.
2. The Zonal Officer 9,
Greater Chennai Corporation,
Ripon Building,
Chennai-600 003.
3. The Executive Engineer Z-9,
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4. The Assistant Executive Engineer Unit-24,
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5. The Assistant Engineer Divn.118,
Greater Chennai Corporation,
Ripon Building,
Chennai-600 003.

6. The Junior Engineer Divn.118,
Greater Chennai Corporation,
Ripon Building,
Chennai-600 003.

+lcc to Mr.Abihnav Parthasarathy, Advocate Sr.17325
+lcc to Mr.R.Gopinath, Advocate Sr.17327

W.P.No.5439 of 2022

mt[co]
srg 30/03/2022