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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
and
THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.P.No.4275 of 2021

Rajeswari
W/o Late N.Ramasamy
No.5/11, 2nd Street, Corporation Colony
Tondiarpet, Chennai - 600 081.

...Petitioner

Vs.

- 1.The Commissioner
Corporation of Chennai
Ripon Buildings, Chennai - 600 003.
- 2.The City Engineer
Corporation of Chennai
Ripon Buildings, Chennai - 600 003.
- 3.The Zonal Officer
Zone-IV, Corporation of Chennai
No.266, T.H.Road, Chennai -21.
- 4.The Executive Engineer
Zone-VI, Corporation of Chennai
No.266, T.H.Road, Chennai -21.
- 5.N.Sadhasivam
- 6.A.Suthanthirammal

...Respondents

Prayer :Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the 1st respondent to remove the encroachment of the entire 1st Cross Street, Tondiarpet High Road, Kodungaiyur, Chennai - 600 118, by the 5th and 6th respondents by taking necessary action on the representation dated 16.10.2020 made by the petitioner.



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For petitioner : Mr.R.Narendran

For respondents : Mr.R.Gopinath
Standing Counsel for RR1 to 4
Mr.V.Govardhanan
for M/s Row & Reddy for RR5 & 6

ORDER

(The Order of the Court was made by K.KALYANASUNDARAM,J)

This writ petition has been filed for issuance of writ of mandamus, directing the 1st respondent to remove the encroachment in the Tondiarpet High Road, Chennai-600 118, made by the respondents 5 and 6, based on the representation dated 16.10.2020.

2.Mr.R.Gopinath, learned Standing Counsel appearing for the respondents 1 to 4, by referring the counter filed by the 4th respondent, submitted that enquiry was conducted by the Executive Engineer, Zone-IV, Corporation of Chennai, and thereafter a notice under Section 220 r/w 222 of Chennai City Municipal Corporation Act IV of 1919 has been issued to the private respondents.

3.Taking note of the fact that the official respondents have already initiated action, based on the representation of the petitioner, we are of the considered opinion that the prayer sought in this writ petition has become infructuous.

4.The official respondents are hereby directed to complete the process within a period of six months, after providing ample opportunity to all the necessary parties. Till such time, the respondents shall maintain status-quo as on date.

5.With the above directions, this writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

Jer



To

1.The Commissioner,
Corporation of Chennai,
Ripon Buildings, Chennai - 600 003.

2.The City Engineer,
Corporation of Chennai,
Ripon Buildings, Chennai - 600 003.

3.The Zonal Officer,
Zone-IV, Corporation of Chennai,
No.266, T.H.Road, Chennai -21.

4.The Executive Engineer,
Zone-VI, Corporation of Chennai,
No.266, T.H.Road, Chennai -21.

+lcc to Mr.R.Narendran, Advocate SR. No.1553

+lcc to M/s.Row & Reddy, Advocate SR. No. 796

+lcc to Mr.R.Gopinath (Standing Counsel for Corporation of
Chennai) SR. No.793

W.P.No.4275 of 2021

KN (CO)

PR (15/02/2022)