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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.01.2022

CORAM :

THE HON'BLE MR.MUNISHWAR NATH BHANDARI,
ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU
W.P.No.28462 of 2021

P.T.Durai

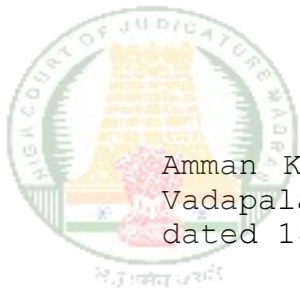
... Petitioner

Vs

- 1 The District Collector,
Chennai District, Singaravelar Maligai
Chennai 1.
- 2 The Revenue Divisional Officer
Anna Salai, Guindy, Chennai 600 032.
- 3 The Tahsildar,
Guindy Taluk, Richardon Park,
Saidapet, Chennai 15
- 4 The Commissioner
The Greater Chennai Corporation
Rippon Building, Chennai 600 003.
- 5 The Executive Engineer,
Corporation of Chennai, Ward No.130
No.2 Amman Koil Street
Vadapalani Chennai 26.
- 6 The Assistant Engineer
Corporation of Chennai
Ward No.130
No.2 Amman Koil Street
Vadapalani Chennai 26.
- 7 Mr.E.Pugazhendhi

... 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 unauthorised wall built on the Public Street which blocks the free movement of public between Gangai



Amman Koil 1st Street and Gangai Amman Koil Street situated at Vadapalani, Chennai by considering petitioner's representation dated 18.10.2021.

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For the Petitioner : Mr.B.Siddeswaran
For the Respondents : Mr.P.Muthukumar,
State Government Pleader,
for respondents 1 to 3
Mrs.Karthikaa Ashok,
Standing Counsel,
for respondents 4 to 6

ORDER

(Order of the Court was made by
the Hon'ble Acting Chief Justice)

This public interest litigation has been filed to seek a direction on the official respondents to remove the unauthorized wall built on the public street, blocking the free movement of public between Gangai Amman Koil 1st Street and Gangai Amman Koil Street, Vadapalani, Chennai.

2. Learned counsel for the petitioner has made a reference to some photographs to show that the public street in question has been blocked. This court is not inclined to accept the said reference. Photographs cannot prove that the land reflected therein to be a public street unless documents are filed, and that too referring to survey number, indicating it to be a street. Learned counsel was asked to refer to any such document to prove that the land in question has been marked as a street in records and survey number assigned thereupon. Learned counsel was unable to produce any such proof.

3. At times, writ petitions, in the nature of public interest litigation, are filed without proper research and documents to support the contention/allegation made therein. A public interest litigation cannot be used for fishing an inquiry, but has to be filed after proper research and collecting documents to support the allegations/contentions. Since no document has been produced to prove the allegation, the prayer made in the writ petition cannot be maintained. The writ



petition is accordingly dismissed. There will be no order as to costs.

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Sd/-
Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

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To:

- 1 The District Collector,
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+1cc to M/s.Karthikaa Ashok, Advocate, S.R.No.760
+1cc the Government Pleader, S.R.No.1149 (26/05/2022)

W.P.No.28462 of 2021

RLD(CO)
SU(11/01/2022)