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W.P. No. 26181 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.11.2022

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 26181 of 2022

and

W.M.P. No. 25278 of 2022

1. Nimesh P Shah
2. Kavitha Shah
3. Karan Shah

... Petitioners

-VS-

1. The Chief Engineer
Water Resources Department
Public Works Department
Chepauk, Chennai - 600 005.
 2. Chennai Metropolitan Development Authority
Thalamuthu Natarajan Building
No.1, Gandhi Irwin Road
Egmore, Chennai - 600 008.
- Respondents

...

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the First Respondent to furnish the information sought by the Second Respondent vide Letter dated 22.11.2021 regarding Letter No. PP/NHRB/S(B1)/0595/2021, within a time frame fixed by the Court.



W.P. No. 26181 of 2022

WEB COPY

For Petitioners : Mr. T.M.Mano
For Respondents : Mr. T.Arunkumar
Additional Government Pleader (For R1)
Mr. C.Manoharan (For R2)

ORDER

Heard Mr. T.M.Mano, Learned Counsel for the Petitioners, Mr. T.Arunkumar, Learned Additional Government Pleader appearing for the First Respondent and Mr. C.Manoharan, Learned Counsel for the Second Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. The Writ Petition had been filed for directing the First Respondent to furnish the information sought by the Second Respondent in the Letter No. PP/NHRB/S(B1)/0595/2021 dated 22.11.2021 within a time frame that may be fixed by the Court.

3. Learned Additional Government Pleader appearing for the First Respondent, on instructions, states that the First Respondent could



W.P. No. 26181 of 2022

not furnish the information sought by the Second Respondent in Letter No. PP/NHRB/S(B1)/0595/2021 dated 22.11.2021 as despite notices dated 09.02.2022 and 12.08.2022 from the Junior Engineer, Water Resources Department, Irrigation Section, Padappai, the Petitioner failed to produce the following documents:-

- (i) Location Map
- (ii) Village Map demarcating the present site
- (iii) FMB
- (iv) Patta & Chitta
- (v) Adangal Copy ('A' Register)
- (vi) Level of the site with reference to mean sea level along with the Contact person phone number

In such circumstances, Learned Counsel for the Petitioner states that the Petitioner would take necessary action in that regard and if he has any other grievance, he would work out his rights before the proper forum in the manner recognized by law.



W.P. No. 26181 of 2022

WEB COPY

As nothing remains for consideration, the Writ Petition is disposed.

Consequently, the connected Miscellaneous Petition is closed. No costs.

03.11.2022

Maya

Index: Yes/No

Note: Issue order copy by 15.11.2022.

To

1. The Chief Engineer
Water Resources Department
Public Works Department
Chepauk, Chennai - 600 005.
2. Chennai Metropolitan Development Authority
Thalamuthu Natarajan Building
No.1, Gandhi Irwin Road
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WEB COPY



W.P. No. 26181 of 2022

P.D. AUDIKESAVALU, J.

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W.P. No. 26181 of 2022

03.11.2022