



W.P. No. 26579 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.10.2022

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

W.P. No. 26579 of 2022

and

W.M.P. No. 25637 of 2022

P.Sulaja Premkumar

... Petitioner

-VS-

1. The Principal Secretary to Government,
Highways and Minor Ports Department,
Fort St.George,
Chennai – 600 009.
2. The Principal Secretary to Government,
Transport Department,
Fort St.George,
Chennai – 600 009.
3. The Commissioner,
Transport Department,
Commissionerate of Transport and Road Safety,
Ezhilagam, Chepauk,
Chennai – 600 005.
4. The Managing Director,
Metropolitan Transport Corporation (Chennai Division) Ltd.,
Pallavan House, Anna Salai,
Chennai – 600 002.
5. The Commissioner,
Greater Chennai Corporation,
Ripon Building,
Chennai – 600 003.



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6. The Inspector of Police (L&O),
J7, Velachery Police Station,
Velachery,
Chennai – 600 042.

7. The Inspector of Police (Traffic),
J7 Traffic Police Station,
Velachery,
Chennai – 600 042.
(R6 and R7 impleaded vide order dated
11.10.2022 in W.M.P. No. 26391 of 2022)

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Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, to direct the First and Second and Fifth Respondents for shifting of the bus stop belonging to Greater Chennai Corporation and Highways Department which is situated in front of the Petitioner's house premises to the nearby vacant Government land.

For Petitioner : Mr. D.Saikumaran

For Respondents : Mrs. R.Anitha,
Special Government Pleader (for R1)

Mr. Yogesh Kannadasan,
Special Government Pleader
(for R2 & R3)

Mrs. P.T.Ramadevi (for R5)

Mr. V.Meganathan,
Government Advocate (for R6 & R7)

No appearance (for R4)



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ORDER

Heard Mr. D.Saikumaran, Learned Counsel for the Petitioner, Mrs. R.Anitha, Learned Special Government Pleader appearing for the First Respondent, Mr. Yogesh Kannadasan, Learned Special Government Pleader appearing for the Second and Third Respondents, Mrs. P.T.Ramadevi, Learned Counsel for the Fifth Respondent and Mr. V.Meganathan, Learned Government Advocate who takes notice for the Sixth and Seventh Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. The Petitioner made a representation dated 25.08.2022 to the First and Second Respondents for shifting the bus stop in front of her property at Vishnupriya, 7/41, Ramagiri, 100 Feet Tharamani Link Road, Velacherry, Chennai – 600042 stating that it hinders free access apart from nuisance created by miscreants consuming liquor at the said place. As no action had been taken thereon, this Writ Petition had been filed.

3. The Superintending Engineer, Bus Route Road Department, Greater Chennai Corporation, who has inspected the property, has filed a report dated



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10.10.2022 in which it has been stated as follows:-

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“4. I submit that pursuant to the directions of this Hon'ble Court the Bust Stop in question was inspected by the Officials of Greater Chennai Corporation along with the Officials of Metropolitan Transport Corporation and Police Department and found that no anti-social elements are using the Bus Stop in question for consuming alcohol as alleged by the Petitioner, further the Police Officials have orally informed that till date no case has been registered in that location with respect to anti-social elements. Further, a detailed report in this regard is awaited from the Police Department.

5. I submit that at the time of joint inspection the Officials of Metropolitan Transport Corporation has orally informed that the site in question is more feasible for erection of the Bus Stop since the width of the road is more that compared to the alternate location pointed out by the Petitioner in her affidavit. The location pointed out by the Petitioner will also cause traffic congestion for the general public. Further, a detailed report in this regard is awaited from the Metropolitan Transport



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Corporation.”

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In view of such action taken on the representation dated 25.08.2022 made by the Petitioner, nothing remains for consideration in this Writ Petition. However, it shall not be an impediment to the concerned authorities to take independently any decision for shifting the bus stop in future.

4. Learned Government Advocate, on instructions, from the Sixth and Seventh Respondents, who are present in Court today, states that if the Petitioner makes any complaint by telephone to Velacherry Police Station (Phone No.9498-100-169) and Velacherry Traffic Station (Phone No.9498-141-615) regarding any nuisance created by miscreants consuming liquor, action would be immediately taken in accordance with law. The said submission made is placed on record.

In fine, the Writ Petition is disposed with the aforesaid observations. Consequently, the connected Miscellaneous Petition is closed. No costs.

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Index: Yes/No



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Note: Issue order copy by 07.11.2022.

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- To
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 2. The Principal Secretary to Government,
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P.D. AUDIKESAVALU, J.

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