



WEB COPY



W.A.No.2638 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.12.2022

CORAM :

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

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Dr.Vasudevan Road Residents' Welfare Association
rep. by its President, A.V.Kumar
having its office at Door No.3
Dr.Vasudevan Road, Kilpauk
Chennai – 600 010.

.. Appellant

Vs

1. The Commissioner
Corporation of Greater Chennai
Ripon Building
Chennai – 600 003.
2. The Regional Deputy Commissioner (Central)
Corporation of Greater Chennai
Shenoy Nagar, Chennai – 600 030.
3. The Zonal Officer
Corporation of Greater Chennai
Zone-8, Shenoy Nagar
Chennai – 600 030.

.. Respondents

Prayer: Appeal filed under Clause 15 of the Letters Patent against the order dated 8.9.2022 made in W.P.No.15940 of 2022.



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For the Appellant : Ms.C.S.Vedavalli

JUDGMENT

(Delivered by the Hon'ble Acting Chief Justice)

Dr.Vasudevan Road Residents' Welfare Association has filed this appeal challenging the order dated 8.9.2022 passed by the learned Single Judge in W.P.No.15940 of 2022.

2. Learned counsel for the appellant submitted that Dr.Vasudevan Road is a lane off Ormes Road and it is located between Millers Road on the east and Sylvan Lodge Colony on the west. Due to the commencement of operations of two eating joints and marriage hall in Dr.Vasudevan Road, several people started parking vehicles in Ormes Road and as the residents found it difficult to move their vehicles and suffered inconvenience, they were permitted to have barricades so as to prevent the people from using Dr.Vasudevan Road. Thus, the association erected a drop gate and installed CCTV camera with security around the clock, but the officials of the respondent/Corporation removed the drop gate



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without issuing any notice to the appellant/association.

3. Learned counsel for the appellant further submitted that the drop gate and CCTV camera facility were installed way back in 2017 and till date no hardship has been caused to the general public and, therefore, the learned Single Judge ought to have condemned the action taken by the respondent/Corporation.

4. We have heard learned counsel for the appellant and perused the order passed by the learned Single Judge. As rightly observed by the learned Single Judge, the appellant had not produced before this court any permission obtained from the Corporation for erecting the drop gate in the public road. Admittedly, the road in question is a public road and without obtaining permission from the competent authority, no one has the authority to erect a drop gate. We, therefore, do not find any infirmity in the order passed by the learned Single Judge.



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The writ appeal fails and the same is dismissed. There will be no order as to costs.

(T.R., ACJ.) (D.B.C., J.)
08.12.2022

Index : Yes/No
sasi

To:

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T.RAJA, ACJ.
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(sasi)

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