



W.P.No.4474 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.02.2023

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.4474 of 2023

O.Ashok,
Manager, Ficus Grove Apartment Owners Association
Ficus Grove Apartments
No.72, Janaki Avenue
MRC Nagar Main Road
R.A.Puram, Chennai – 600 028.

.. Petitioner

Vs

- 1 The Commissioner
Greater Chennai Corporation
Ripon Building
Chennai-03.
- 2 The Deputy Commissioner
Adyar Region, Chennai Corporation
No.115, Dr.Muthulakshmi Salai
Adyar, Chennai - 20.
- 3 The Assistant Engineer
Division No.171, Zone.13
No.115, Dr.Mutulakshmi Salai
Adyar, Chennai – 20.



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4 The Deputy Commissioner of Police
Mylapore Division, Mylapore
Chennai - 04.

5 The State, Rep. by Inspector of Police
Law and Order,
E5, Foreshore Estate Police Station
Chennai - 28.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents to remove the encroachment in the form of Bunk Shop found Opposite to TVH Tower Chaitanya (Ficus Grove) Apartments, No.72, Janaki Avenue, MRC Nagar, Main Road, R.A.Puram, Chennai-600 028, Ward-171, Zone-13 in accordance with law.

For the Petitioner : Mr.G.Peranban

For the Respondents : Mr.A.Arun Babu
Standing Counsel
for respondents 1 to 3

: Mr.P.Muthukumar
State Government Pleader
for respondent 4 and 5

ORDER

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

This writ petition has been filed by the petitioner for issuance of a writ of mandamus directing the respondents to remove the encroachment in the form of bunk shop found opposite to TVH



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Tower, Chaitanya (Ficus Grove) Apartments, No.72, Janaki Avenue, MRC Nagar, Main Road, R.A. Puram, Chennai-28, Ward No.171, Zone-13.

2. Learned counsel for the petitioner submitted that earlier, the petitioner has filed W.P.No.25056 of 2022 for removal of the bunk shop found opposite to TVH Tower, Chaitanya (Ficus Grove) Apartments and, this Court, by the order dated 4.11.2022, disposed of the said writ petition recording the statement made by learned Standing Counsel for the Greater Chennai Corporation that the encroachment in the form of bunk shop was removed on 28.10.2022. It is stated that again, an encroachment in the form of bunk shop has been made in the said place and the same is to be removed by the respondent Corporation.

3. At this juncture, learned Standing Counsel appearing for the Greater Chennai Corporation submitted that after removal of the bunk shop pursuant to the earlier proceedings of the petitioner in W.P.No.25056 of 2022, again a temporary bunk shop has been



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erected in the same place and the authorities of the Greater Chennai Corporation are ready to remove the said temporary bunk shop with the aid of jurisdictional police, if necessity arises.

4. Recording the submission made by learned Standing Counsel for the respondent Greater Chennai Corporation, the writ petition is disposed of. There will be no order as to costs.

(T.R., ACJ.) (D.B.C., J.)
15.02.2023

Index : No
Neutral Citation : No
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