



WEB COPY



W.P.No.3893 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2023

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.3893 of 2023

and

W.M.P.No.3964 of 2023

Kaleelullah

... Petitioner

Vs.

- 1.The District Collector, Chennai,
Rajaji Salai, Fourth Floor, 62, Beach Road,
George Town, Tamil Nadu,
Chennai – 600 001.
- 2.The Greater Chennai Corporation,
Greater Chennai Corporation Ripon Building,
Chennai – 600 003.
- 3.The Tahsildar, Ambattur Taluk,
P.I. Cycle Industries, Near Tiruvallur High Road,
Ambattur, Chennai – 600 053.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to cease the construction in the said Kulamporampokku land which obstructs the passage to the land owned by the petitioner in Survey No.338, 335(1), Padi Village, Ambattur Taluk, Chennai District.



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For Petitioner : Mr.Narmada Sampath

For Respondents : Mrs.R.Anitha, for RR1 & 3
Special Government Pleader
Mrs.P.T.Ramadevi, for R2
Standing Counsel

ORDER

This Writ Petition has been filed to direct the respondents to cease the construction in the said Kulamporampokku land which obstructs the passage to the land owned by the petitioner in Survey No.338, 335(1), Padi Village, Ambattur Taluk, Chennai District.

2. When the matter is posted today for filing a report, Mrs.Anitha, learned Special Government Pleader appearing for the respondents 1 and 3, on instructions, would submit that they already given an undertaking before the First Bench of this Court, not to construct any building in the area and maintain the area as pond and also submitted that they will not erect any construction on the land earmarked as pond. The above submission is recorded.

3. In view of the report filed by the learned Special Government Pleader, the respondents are hereby restrained from putting up any construction which is



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earmarked as pond. It is also made clear that the petitioner has already granted access to use the pathway to reach petitioner's land by a proceedings of the Tahsildar. In such view of the matter, there shall not be any disturbance for access, except by due process of law.

4. With the above observation, this Writ Petition is disposed of. Consequently, connected miscellaneous petition is closed. No costs.

03.03.2023

Index :Yes/No

Neutral Citation :Yes/No

AT

To

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N.SATHISH KUMAR, J.

AT

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