



W.P.No.4170 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.02.2023

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.4170 of 2023
and W.M.P.No.4210 of 2023

Kavitha Kalyanaraman

...Petitioner

Versus

1. The Commissioner
Corporation of Chennai
Rippon Building
Chennai – 600 003

2.The Executive Engineer
Zone VI, Ward 65
Greater Chennai Corporation
Strahans Road
Chennai – 600 013

...Respondents

Prayer: Writ Petition filed under Section 226 of the Constitution of India to issue a Writ of Mandamus, forbearing the respondents from demolishing or altering the storm water drain and concrete put in the Venus Nagar VI Street, Kolathur.

For Petitioner : Mr.S.Thiruvengadam

For Respondents : Mr.D.B.R.Prabhu



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ORDER

This Writ Petition has been filed to issue a Writ of Mandamus seeking to forbear the respondents from demolishing or altering the storm water drain and concrete put in the Venus Nagar VI Street, Kolathur.

2. The case of the writ petitioner is that the petitioner purchased the property situated in Door No. 77, I & II Floor, VI Street, Venus Nagar, Kolathur, Chennai – 600 099 vide Doc.No.4184 of 2014 on 04.12.2014. Initially, there was no drainage facility. On the request of many owners, in the year 2021, despite the objection of the petitioner, the respondent laid the storm water drain and concrete by 1 ½ feet above the level of houses situated in the road. Thereafter, the petitioner also raised the level of the property in order to prevent the water flow. Now, all of a sudden respondents are trying to demolish the concrete covering the storm water drain. Hence, this writ petition.

3. The learned counsel for the respondents would submit, on instructions, that in front of the petitioner house, where the level of the property has been raised, they will not remove. In respect of other area, there is no objections by others. Such statement is recorded.



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4. Such view of the matter, this writ petition stands disposed of. No costs.

Consequently, connected miscellaneous petition is closed.

14.02.2023

Index : Yes
Neutral Citation : Yes
dhk

To,

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N. SATHISH KUMAR, J.



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