



WEB COPY



WP No.27210 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.06.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

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

WP No.27210 of 2021

1. C.Prabhu @ C.C.Prabhuram
2. C.Ramesh @ C.C.Ramesh

.. Petitioners

-vs-

1. The District Collector,
Chennai District,
Singaravelar Maaligai,
Chennai 600 001.
2. The Tahsildar,
Velachery Taluk Office,
Gandhi Road, Velachery,
Chennai 600 042.
3. The Commissioner,
Greater Chennai Corporation,
Ripon Building, Chennai 600 003.
4. The Zonal Officer,
Old Zone X, New Zone No.XIII,
Corporation of Chennai,
Adyar, Chennai 600 020.
5. The Junior Engineer,
Old Division No.153, New Division No.179,
Corporation of Chennai, Velachery
Main Road, Velachery, Chennai 600 042.



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6. R.Elangovan

.. Respondents

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Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to call for the records of the 3rd respondent pertaining to the communication in Ref.No.3.O.XIII.C.No./11554/2014 dated 03.03.2016 issued by the District Revenue Officer/ Zonal Office, 13, based on which this Court had passed order in the Contempt Petition filed by the petitioner relating to Town Survey No.34 in Block No.193, Velachery Village, Chennai District, which was originally stands in the name of the 3rd respondent Corporation and direct the respondents 1 to 5 to clear the encroachment on the Corporation Street and lay black top road and maintain the same in Bhuvaneswari Nagar Layout abutting to Plot No.24A and 25A, corresponding Town Survey Nos.38 and 39, abutting the road, comply with genuine request made therein dated 12.12.2020, and acknowledged by the respondents on 16.12.2020, and comply with the request made therein within a specified period to be stipulated by this Court.

For the Petitioner : Mr.V.Ramana Reddy

For the Respondents : Mr.J.Ravindran,
Additional Advocate-General,
Assisted by Mr.A.Selvendiran,
Special Government Pleader,
for RR 1 and 2

: Mr.A.Arunbabu
for respondents 3 to 5

: Mr.K.Chandrasekaran
for R-6

* * * * *



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ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

The petitioner seeks directions against respondent authorities to clear the encroachment on the corporation street.

2. We have heard Mr.V.Ramana Reddy, learned counsel for the petitioner, Mr.J.Ravindran, learned Additional Advocate-General for respondents 1 and 2, Mr.A.Arunbabu, learned counsel for respondents 3 to 5 and Mr.K.Chandrasekaran, learned counsel for respondent No.6.

3. It is pointed out that civil suit has been filed by respondent No.6 seeking declaration of ownership. The application for interim orders was rejected. An appeal has been filed by respondent No.6 and in appeal, directions are given not to demolish the compound wall.

4. As the matter is sub judice before the civil court, at present no orders can be passed in the writ petition. The State authorities



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may take further steps in tune with the judgment that would be delivered in the civil proceedings and/or the orders passed in appeal.

The writ petition is, as such, disposed of. There will be no order as to costs.

(S.V.G., CJ.)

(P.D.A., J.)

20.06.2023

Index : yes/no

Neutral Citation : Yes/No

sra

To:

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THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKESAVALU, J.

(sra)

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