



W.P.No.10033 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.06.2023

CORAM :

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MR.JUSTICE P. DHANABAL

W.P.No.10033 of 2019 and

WMP Nos.10608, 10610 of 2019

R.Ramachandran

... Petitioner

Vs.

1. The Member Secretary,
Chennai Metropolitan Development Authority,
Gandhi Irwin Salai, Egmore, Chennai 600 008.
2. The Tahsildar, Pallavaram Taluk,
Chennai 600 043.
3. The Tamil Nadu Road Development Corporation (TNRDC),
GMR Chennai Outer Ring Road Private Ltd.,
Phase-1, Administrative Block,
Thookanampatti (village), Poonamallee Taluk,
Chennai 602 123.
4. The Commissioner, Kundrathur Panchayat Union,
Padappai, Chennai 138.
(cause title amended vide order dated 23.07.2019,
made in WMP No.20568/2019 in WP 10033/2019)



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5. The Assistant Engineer (Operation & Maintenance),
TANGEDCO, Thirumudivakkam,
Chennai 600 132.

6. The Inspector of Police, Kundrathur Police Station,
Chennai.

7. D. Mani

8. M/s S.R.J.Fiber Tech, Plot No.20,
Vasantham Nagar, 400 feet Outer Ring Road,
Thirumudivakkam, Chennai 602 109.

...

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 5 to act forthwith on the petitioner's representations dated 05.07.2018 and 09.07.2018 and legal notice dated 14.01.2019 immediately by taking necessary legal action to remove encroachments and to demolish the illegal and unauthorized constructions thereon put up by the 7th and 8th respondents/occupants in respect of the property allegedly bearing plot No.20, situate at Vasantham Nagar, 400 feet outer ring Road, Thirumudivakkam, Chennai 602 109.

For Petitioner : Mr.R.Gokul

for Mr.Sudarsanam S.L.

For Respondents : Mrs.P.Veena Suresh Standing counsel for R1

Mr.E.Vijay Anand,
Addl.Govt.Pleader for R2 and R6



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Mr.V.Jayaprakash Narayanan for R4

Mr.L.Jaivenkatesh for R5

Mr.A.Radhakrishnan for R7

No appearance for R3

ORDER

(Order of the Court was delivered by D.KRISHNAKUMAR, J.)

This petition has been filed to direct the respondents 1 to 5 to act forthwith on the petitioner's representations dated 05.07.2018 and 09.07.2018 and legal notice dated 14.01.2019 immediately by taking necessary legal action to remove encroachments and to demolish the illegal and unauthorized constructions thereon put up by the 7th and 8th respondents/occupants in respect of the property allegedly bearing plot No.20, situate at Vasantham Nagar, 400 feet outer ring Road, Thirumudivakkam, Chennai 602 109.



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2. The learned counsel for the fourth respondent submitted that the subject matter of the property comes under the jurisdiction of Thirumudivakkam Panchayat, whereas, the said Panchayat has not been impleaded as party. He further submitted that, the petitioner has made a representation only before the fourth respondent for removal the unauthorized construction, and if the petitioner makes any representation before the Thirumudivakkam Panchayat, the same will be considered the action will be taken by the concerned Panchayat, in accordance with law.

3. At this juncture, the learned counsel appearing for the petitioner seeks two weeks time to file appropriate representation before the Thirumudivakkam Panchayat for removal of the unauthorized construction put up in the property in question.

4. Inview of the above submission, the petitioner is permitted to make a representation before the concerned Panchayat and if any such application is received, the authority concerned shall consider the same and take



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appropriate action in accordance with law.

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Consequently, connected writ miscellaneous petitions are closed.

(D.K.K.J.) (P.D.B.J.)

21.06.2023

Internet: Yes/No

Index : Yes/No

mst

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