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W.P.No.21473 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.02.2023

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN
and
THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

Writ Petition No.21473 of 2018

Appandu

...Petitioner

Vs

1.The District Collector,
Rajaji Salai, Chennai – 1.

2.The Tahsildar,
Aminjikarai Taluk, Chennai – 29.

3.The Commissioner,
Corporation of Greater Chennai,
Chennai – 3.

4.The Regional Deputy Commissioner,
Corporation of Chennai, No.12B, Central Zone,
2nd Cross Street (East), Pulla Avenue,
Thiru-Vi-Ka park, Shenoy Nagar,
Chennai – 30.

5.The Executive Engineer (TP Enforcement),
Corporation of Chennai, Central Zone (VIII),
2nd Cross Street (East), Pulla Avenue,
Thiru-Vi-Ka park, Shenoy Nagar,
Chennai – 30.



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6.The Assistant Engineer,
Corporation of Chennai,
Division No.106, Narasimman Street,
Collectorate Colony,
Chennai – 29.

7.The Member-Secretary,
CMDA, Thalamuthu Natarajan Maligai,
Egmore, Chennai – 8.

8.Mrs.Devaki

9.Mr.E.Anandaraj

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus, directing the 1 to 7 herein, to dispose of the petitioner's representation dated 04.05.2018 submitted for taking appropriate action as against the said encroachment made in the 5 feet width common pathway / street, which is running from South to North from Sriraji Street, and on illegal and unlawful constructions made without any approval plan made by the Respondents at No.17/20, Siraji Street, Ayyavoo Naidu Colony, Aminjikai, Chennai – 29.

For Petitioner : Mr.A.Ramalingam.

For Respondents : Mr.A.Selvendran,
Special Government Pleader for R1 & R2.
Mr.G.T.Subramanian for R3 to R6.
Mrs.Veena Suresh for R7.



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ORDER

[Order of the Court was made by R.MAHADEVAN,J]

The prayer made in this Writ Petition is to issue a Writ of Mandamus, directing the respondents 1 to 7 herein to dispose of the petitioner's representation dated 04.05.2018 and remove the encroachment made in the 5 feet width common pathway / street in Old No.19/3, New S.No.51/3 and S.No.51/6 for usage of plot owners in S.No.51/3 and S.No.51/6, which is running from South to North from Siraji Street, Ayyavoo Naidu Colony, Aminjikarai, Chennai – 29.

2.Heard the learned counsel for the petitioner, the learned Special Government Pleader appearing for the respondents 1 & 2 and the learned counsel for the respondents 3 to 7 and also perused the documents enclosed in the typed set of papers.

3.Considering the limited nature of relief sought for in this Writ Petition, this Court, without going into the merits of the case, directs the



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respondent authorities to consider the petitioner's representation dated 04.05.2018, if not considered earlier and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of hearing to all the parties concerned within a period of eight (8) weeks from the date of receipt of a copy of this order.

4. With the above direction, this Writ Petition is disposed of. No costs.

(R.M.D.,J) (M.S.Q.,J)
14.02.2023

ay

Index: Yes / No

Speaking Order / Non-speaking Order

Neutral Citation: Yes / No

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3.The Commissioner,
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**R.MAHADEVAN,J
and
MOHAMMED SHAFFIQ,J**

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