



W.P.No.13992 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.07.2023

CORAM :

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

AND

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

W.P.No.13992 of 2023

1.P.Nagarajan
2.K.P.Loganathan

.. Petitioners

Vs

- 1.The Ministry for Environment,
Forest and Climate Change,
rep. by its Secretary,
Indira Paryavaran Bhavan,
Jorbagh Road, New Delhi-110 003.
- 2.State Environment Impact Assessment
Authority (SIEAA) Tamil Nadu,
3rd Floor, Panagal Maligai,
1, Jeenis Road, Saidapet,
Chennai-600 015.
- 3.The Member Secretary,
Tamil Nadu Coastal Zone Management Authority,
Panagal Building,
Saidapet, Chennai-600 002.



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- 4.The District Collector cum Chairman,
District Coastal Zone Management Authority,
Villupuram, at Collector Office Road,
Moovendar Nagar, Villupuram,
Tamil Nadu-605 602.
- 5.The Housing Secretary,
O/o The Housing Secretary,
Chennai-09.
- 6.The Director,
Directorate of Town & Country Planning,
2nd, 3rd, 4th Floor, C & E, Market Road,
Koyambedu, Chennai-107.
- 7.The Deputy Director,
Directorate of Town & Country Planning,
Villupuram Region,
GH Road, TADCO Building,
Villupuram District.
- 8.The Tamil Nadu Pollution Control Board,
rep. by its Chairman,
76, Mount Salai,
Guindy, Chennai-32.
- 9.Tamil Nadu Pollution Control Board,
rep. by its District Environment Engineer,
at District Collector Master Plan Complex,
Back side at Taluk Office,
Villupuram – 605 602.
- 10.The Executive Officer,
Marakkanam Town Panchayat,
Marakkanam Taluk,
Villupuram District.



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11.The Thasildar,
Marakkanam Taluk,
Villupuram District.

12.M/s.Manju Foundations Pvt. Ltd.,
8, Sapthaswara Apartments, 2nd Floor,
1st Avenue, Ashok Nagar,
Chennai – 600 083.

13.Pedro Developers (P) Ltd.,
C/o Vatika Group
Flat No.621-A, 6th Floor,
Devika Towers,
6, Nehru Place, New Delhi-19.

14.Dinesh N Surana

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the fourth respondent to remove the entire encroachment made by the 12th respondent over the 60 feet public road in S.No.181/5B3 (Pt) of Marakkanam North Village, Marakkanam Taluk, Villupuram District to enable the petitioners and the general public to have unfettered access to the coastline, within a time frame fixed by this Court and direct the 10th respondent to remove the illegal developments over the lands of the petitioners in S.No.195/4A(Pt), 4B(Pt), 4D(Pt) and in S.No.211/1B1A admeasuring about 1.70 acres in Marakkanam North Village, Marakkanam Taluk, Villupuram District as per their own notice dated 29.10.2015 and 11.01.2016.

For the Petitioner	: Mr.V.Ramesh for Mr.T.Thiyagarajan
For the Respondents	: Dr.G.Bbu SPC for respondent No.1
	: Mrs.R.Anitha



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Spl. Government Pleader
for respondents 2 to 7, 10 &
11

: Mr.Krishna Prasad
for M/s.Sarvabhauman Associates
for respondent No.12

ORDER

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

We have heard Mr.V.Ramesh, learned counsel for the petitioner; Dr.G.Babu, SPC for the first respondent; Mrs.R.Anitha, learned Special Government Pleader for respondents 2 to 7, 10 and 11 and, Mr.Krishna Prasad, learned counsel for respondent No.12.

2. The encroachment is alleged in Survey No.181/5B3 (Pt). It is stated that the same is a road and an encroachment is made on the road thereby obstructing the passage/ingress and egress.

3. Learned Special Government Pleader submits that there are various gift deeds executed with regard to the road. The survey and measurement would be carried out and if encroachment is found,



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then action in accordance with law would be undertaken by the authority concerned.

4. In view of the statement made by learned Special Government Pleader, no further orders are necessary. The writ petition is disposed of. There will be no order as to costs. Consequently, W.M.P.No.13635 of 2023 is closed.

(S.V.G., CJ.)

(P.D.A., J.)

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Index : Yes/No
Neutral Citation : Yes/No
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