



W.P.No.13154 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.10.2023

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.13154 of 2023

R.Murali

.. Petitioner

Vs.

1. The District Collector
4th Floor, M.Singaravelar Maaligai
62, Rajaji Salai, Chennai Collectorate
Chennai 600 001.
2. The Revenue Divisional Officer
Ambattur Division
Padi Kuppam Road, ONGC Housing
Anna Nagar West Extension, Chennai District.
3. The Tahsildar
Maduravoyal Taluk
35HF+559, Bharathi Salai
Mogappair West, Ambattur Industrial Estate
Chennai 600 037.
4. The Member Secretary
Chennai Metropolitan Development Authority
Thalamuthu Natarajan Building
No.1, Gandhi-Irwin Road
Egmore, Chennai 600 008.



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5. Tamil Nadu Brick Industries
Rep. by its Managing Director N.D.Ramamurthy
No.47, Mangali Nagar 1st Street
Arumbakkam, Chennai 106.

6. M/s. Brigade Enterprises Ltd.
Floor No.29 & 30, World Trade Centre
Brigade Gateway Campus
26/1, Dr.Rajkumar Road, Malleswaram
Rajaji Nagar, Bangalore 560 055.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the respondents to consider the representation dated 23.03.2023 and to remove the entire encroachments in the Chanel comprised in S.No.147/3, Nolambur Village, Maduravoyal Taluk, Chennai District.

For the Petitioner : Mr.T.N.Rajagopalan
For Mr.A.Saravanan

For the Respondents : Mr.P.Muthukumar
State Government Pleader
for Respondents 1 to 3

Ms.Shanmugavalli Sekar
Standing Counsel
for Respondent-4

Mr.Kuberan
For M/s. Rank Associates
for Respondent-5



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ORDER
(Made by the Hon'ble Chief Justice)

We have heard Mr.T.N.Rajagopalan, learned counsel for Mr.A.Saravanan, learned counsel for the petitioner, Mr.P.Muthukumar, learned State Government Pleader for the respondents 1 to 3, Ms.Shanmugavalli Sekar, learned Standing Counsel for the fourth respondent and Mr.Kuberan, learned counsel for the fifth respondent.

2. The petitioner is a resident of Anna Nagar, Chennai. The petitioner contends that the petition is filed in public interest as there is an encroachment on the water channel situated in Nolambur Village, Chennai.

3. According to learned counsel for the petitioner, the petitioner collected necessary information.

4. We fail to understand as to how the petitioner could be, even remotely, concerned with the situation in a Village when the petitioner is not at all the resident of the said Village.



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5. Learned counsel for the petitioner submits that the petitioner's in-laws are residing in Nolambur Village.

6. Still, the petitioner cannot say that he has any knowledge about the same. We do not find any public interest in the matter.

7. A counter-affidavit is filed by the fifth respondent. It is stated that there is no water channel in S.No.147/3. The fifth respondent is provided with patta and it is in possession of the said land. The sale deeds are also registered. It is further stated that Chennai Metropolitan Development Authority has also accorded proper approval for construction, after verifying the revenue records.

8. In view of the fact that the construction is as per record, there is no merit in the writ petition. Accordingly, the same is dismissed. Cost in cause.

(S.V.G., CJ.)

(D.B.C., J.)

11.10.2023

Index : Yes/No
Neutral Citation : Yes/No
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