



W.P.No.15001 of 2022

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.08.2023

CORAM :

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

AND

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

W.P.No.15001 of 2022

G.Sathishbabugodi

.. Petitioner

Vs.

1. The Commissioner
Chennai Corporation
Ribbon Building, Chennai.
2. The Zonal Officer
Zone 8, Corporation of Chennai
Chennai.
3. The Assistant Engineer
Zone 8, Ward 95
Corporation of Chennai
Chennai.
4. The Executive Engineer
Zone 8, Corporation of Chennai
Chennai.
5. The Tahsildar
Ayanavaram Taluk,
Chennai.



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6. P.Mohan

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus direct the respondents 2 to 4 to implement the order of the fifth respondent dated 21.03.2022 made in Na.Ka.No.A1/0167/2022 consequently remove the encroachment made by the sixth respondent.

For the Petitioner : Mr.R.Babu
For Mr.S.Sathishkumar

For the Respondents : Mr.A.Arunbabu
for Respondents 1 to 4

Mr.K.M.D.Muhilan
Additional Government Pleader
for Respondent-5

Mr.T.Subramanian
for Respondent-7

ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.R.Babu, learned counsel for Mr.S.Sathishkumar, learned counsel for the petitioner, Mr.A.Arunbabu, learned counsel for the respondents 1 to 4, Mr.K.M.D.Muhilan, learned



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Additional Government Pleader for the fifth respondent and Mr.T.Subramanian, learned counsel for the sixth respondent.

2. It is submitted that there is an encroachment on the road by the sixth respondent.

3. Learned counsel for the sixth respondent submits that the sixth respondent has filed a civil suit and the same is pending before the Civil Court.

4. Learned counsel for the Corporation submits that on survey, encroachment has been found and the steps would be taken for removal of encroachment and, if needed, with police assistance.

5. The Corporation is entitled to take steps in accordance with law for the removal of encroachment, of course, if there are no prohibitory orders against it.



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

(S.V.G., CJ.)

(P.D.A., J.)

01.08.2023

Index : Yes/No
Neutral Citation : Yes/No

kpl

To

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

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