



WEB COPY



W.P.No.15162 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.05.2023

CORAM:

THE HONOURABLE DR.JUSTICE ANITA SUMANTH
and
THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

W.P.No.15162 of 2023

M.Parvathi

..Petitioner

Vs

- 1.The Commissioner,
Greater Chennai Corporation,
Ripon Building, Chennai – 600 003.
- 2.The Regional Deputy Commissioner (Central),
Door No.36B, 2nd Cross Street,
Pulla Avenue, Shenoy Nagar,
Chennai – 600 030.
- 3.The Zonal Officer, Zone VII (Ambattur),
Thiruvallur High Road, Chennai – 600 053.
- 4.The District Collector,
The Chennai Collectorate,
4th Floor, Singaravelar Maaligai,
62, Rajaji Salai, Chennai – 600 001.
- 5.The Tahsildar,
Office of the Ambattur Tahsildar,
Ambattur Taluk, Ambattur,
Chennai – 600 053.
- 6.Anthony Swami
- 7.Sadaiyappan
- 8.Neelakandan

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9.Gowri

10.Ezhumalai

11.Subramaniyan

..Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus to direct the respondent Nos.1 to 5 to remove the encroachments made by the respondents 6 to 11 causing obstructions on the 40 feet Public Road classified as Government Poramboke Land (Battai), comprised in Town Survey No.25, Block 20, Ward No.7 (056), Korattur (Ward:E) of Ambattur Town (Old Survey No.544 of Korattur Village), Ambattur Taluk, Chennai District.

For Petitioner : Mr.K.Prabakar

For Respondents : Mr.Prithivi Chopda,
Standing Counsel for R1 to R3
Mr.P.Muthukumar,
State Government Pleader
for R4 and R5

ORDER

(Made by DR.ANITA SUMANTH.,J)

Mr.Prithivi Chopda, learned counsel, accepts notice for R1 to R3. Mr.Muthukumar, learned State Government Pleader, accepts notice for R4 and R5. No notice is thought necessary to the private respondents arrayed as R6 to R11 in this writ petition bearing in mind



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the nature of order that is sought to be passed and having regard to the fact that their interest have been duly protected under this order as well.

2. The petitioner seeks a mandamus directing R1 to R5 being official respondents to remove the encroachments allegedly made by the private respondents that obstruct 40ft public road classified as Government Poramboke Land (Battai), comprised in Town Survey No.25, Block 20, Ward No.7 (056), Korattur (Ward:E) of Ambattur Town (Old Survey No.544 of Korattur Village), Ambattur Taluk, Chennai District.

3. An identical prayer has been made by the petitioner by way of representations dated 30.01.2023 and postal tracking reports have also been placed on record to show that the officers have received the representations on 31.01.2023. There is thus no dispute that R1 to R3 have received the representations and hence bearing in mind the factual details that would have to be appreciated in considering the petitioner's prayer, mandamus is issued to R3 to consider representation dated 30.01.2023, after hearing the petitioner as well as private respondents / R6 to R11 by issue of notice, giving

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them sufficient time to appear and make their submissions. Let this exercise be concluded within a period of twelve weeks from the date of receipt of a copy of this order in accordance with law. In doing so, R3 shall take assistance from the Tahsildar / R5 as appropriate.

4. Writ petition stands disposed. No costs.

(A.S.M., J.) (M.N.K., J.)
10.05.2023

Index:Yes/No

Neutral Citation : Yes/No

mmi/ssm

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