



W.P.No.16756 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.07.2023

CORAM :

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

AND

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

W.P.No.16756 of 2023

D.Kalavalli

.. Petitioner

Vs.

1. The Commissioner
Greater Chennai Corporation
Chennai District.

2. The Executive Engineer
Zone – VIII, Thiru.Vi.Ka.Park
Greater Chennai Corporation
Chennai – 600 030.

3. The Tahsildar
Aminjikarai, Chennai District.

4. V.Srinivasan

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus, directing the respondents 1 to 3 to remove the illegal construction of the Bala Vinayagar Temple in front of the property bearing No.27/A, Janakiram Colony, Arumbakkam, Chennai 600 106.



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For the Petitioner : Mr.A.E.Chelliah
Senior Counsel
for Mr.K.Venkateswaran

For the Respondents : Mrs.R.Anitha
Special Government Pleader
for R3

Mr.D.B.R.Prabhu
for R1 and R2

ORDER

(Made by the Hon'ble Chief Justice)

Heard Mr.A.E.Chelliah, learned Senior Counsel appearing for Mr.K.Venkateswaran, learned counsel for the petitioner, Mr.D.B.R.Prabhu, learned counsel for respondents 1 & 2 and Mrs.R.Anitha, learned Special Government Pleader for respondent 3.

2. The petitioner is seeking a direction against the respondents 1 to 3 to remove the illegal construction of the Bala Vinayagar Temple in front of the property bearing No.27/A.

3. Learned Special Government Pleader submits that survey was conducted and pursuant to the survey, some encroachment was noticed. The survey report has been forwarded to the Greater Chennai Corporation.



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4. Learned counsel for the Greater Chennai Corporation submits that, on the basis of the survey report, notice has been issued under the provisions of Section 128 (1)(b) of the Tamil Nadu Urban Local Bodies Act, 1998, to the fourth respondent.

5. As the fourth respondent has already been issued notice, it is for the fourth respondent to reply to the notice and take steps accordingly.

6. As steps are undertaken as per the provisions of law, it is not necessary to pass any further orders in this matter. The writ petition, as such, is disposed of. There will be no order as to costs. It is made clear that the contentions of the parties are kept open.

(S.V.G., CJ.)

(P.D.A., J.)

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Index : Yes/No
Neutral Citation : Yes/No

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

(drm)

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