



W.P.No.21261 of 2023

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.07.2023

CORAM :

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

AND

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

W.P.No.21261 of 2023

Rama.Ravikumar

.. Petitioner

Vs.

1. The Member Secretary
Chennai Metropolitan Development Authority
No.1, Gandhi-Irwin Road
Egmore, Chennai 600 008.
2. The Superintending Archaeologist
Archaeological Survey of India
Chennai Circle, Fort St. George, Chennai 600 009.
3. The Director General
Archaeological Survey of India
Thilak Marg, New Delhi.
4. The Commissioner
Tambaram Corporation
28, Muthuranga Mudali Street
Tambaram West, Chennai 600 045.
5. Shriram Properties & Infrastructure Pvt. Ltd.
Lakshmi Neela Rite Choice Chamber
1st Floor, New No.9, Bazullah Road
T.Nagar, Chennai 600 017.

.. Respondents



W.P.No.21261 of 2023

WEB COPY

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the respondents 1 to 3 to conduct a thorough enquiry into the construction done by the fourth respondent in S.Nos.365-A, 367 and 454 of Perungalathur Village and take necessary and prompt action on the damage and destruction of ancient monuments and for intruding into the protected area and prohibited declared by the third respondent in total violation of the provisions of the AMASR (Ancient Monuments and Archaeological Sites Remains) Act, 1958 and consequently, demolish and remove the illegal construction put up by the fifth respondent.

For the Petitioner : Mr.A.P.Surya Prakasam

For the Respondents : Mr.Rajesh Vivekanandan
Deputy Solicitor General
for Respondents 2 & 3

ORDER

(Made by the Hon'ble Chief Justice)

Heard Mr.A.P.Surya Prakasam, learned counsel for the petitioner and Mr.Rajesh Vivekanandan, learned Deputy Solicitor General for the respondents 2 and 3.

2. The contention of learned counsel for the petitioner is that Survey Nos.365-A, 367 and 454 of Perungalathur Village, Chengalpet are protected sites. However, construction activity is taking place at the said site.

Page 2 of 5



W.P.No.21261 of 2023

WEB COPY

3. If the site is archaeologically protected, then the Archaeological Department has to consider. It is the duty of the Archaeological Department to safeguard the said site. It does not appear that the petitioner has approached the Archaeological Department.

4. The petitioner shall file a complaint/representation with the concerned Archaeological Department. If such grievance is raised, the Archaeological Department shall consider the same on its own merits, expeditiously.

5. With these observations, the writ petition is disposed of. There will be no order as to costs. Consequently, W.M.P.No.20675 of 2023 is closed.

(S.V.G., CJ.)

(P.D.A., J.)

20.07.2023

Index : Yes/No
Neutral Citation : Yes/No
kpl



W.P.No.21261 of 2023

WEB COPY

To

1. The Member Secretary
Chennai Metropolitan Development Authority
No.1, Gandhi-Irwin Road
Egmore, Chennai 600 008.
2. The Superintending Archaeologist
Archaeological Survey of India
Chennai Circle
Fort St. George, Chennai 600 009.
3. The Director General
Archaeological Survey of India
Thilak Marg, New Delhi.
4. The Commissioner
Tambaram Corporation
28, Muthuranga Mudali Street
Tambaram West, Chennai 600 045.



WEB COPY



W.P.No.21261 of 2023

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

(kpl)

W.P.No.21261 of 2023

20.07.2023