



WEB COPY



W.P.No.22561 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.08.2023

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.22561 of 2023
and W.M.P.No.22002 of 2023

S.Bharathi

... Petitioner

VS.

1.The Commissioner
Greater Chennai Corporation
Rippon Buildings
Chennai – 600 001.

2.The Zonal Officer
XII Zone Greater Chennai Corporation
Pudhu Street
Alandur, Chennai – 600 016.

3.The Tahsildar
Alandur Taluk
Alandur, Chennai – 600 016.

4.T.Devadasan

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the 1st and 3rd Respondents, their men and their any other authorized person from any manner



W.P.No.22561 of 2023

demolishing or dispossession the Petitioner from the property bearing Plot No.1, comprised in Survey No.267/6, T.S.No.240/10, measuring an extent of 225 sq.fts., situated at No.1, 10th Street, Balaji Nagar, Adambakkam, Chennai – 600 088, Chennai District without due process of law.

For Petitioner : Mr.J.Selvarajan

For R1 and R2 : Mr.E.C.Ramesh
Standing Counsel for GCC

For R3 : Mr.P.Anandhakumar
Government Advocate

ORDER

The writ petition is filed seeking Writ of Mandamus, forbearing the respondents 1 to 3 from any manner demolishing or dispossessing the petitioner from the property bearing Plot No.1, comprised in Survey No.267/6, T.S.No.240/10, measuring an extent of 255 sq.fts., situated at No.1, 10th Street, Balaji Nagar, Adambakkam, Chennai-600 088.

2. It is the case of the petitioner that she is the absolute owner of the above said property, having purchased the same under the Registered Sale Deed dated 14.11.2011.



W.P.No.22561 of 2023

3. The 4th respondent herein tried to interfere with her possession earlier and a Civil Suit was filed by the petitioner's husband against the 4th respondent herien in O.S.No.710 of 2013 on the file of Additional District Munsif, Alandur and the same was decreed in favour of the petitioner's husband granting decree for permanent injunction restraining the 4th respondent from interfering with his possession.

4. Now, it is the case of the petitioner that at the instigation of the 4th respondent, the respondents 1 to 3 are trying to interfere with her possession.

5. Mr.E.C.Ramesh, learned Standing Counsel takes notice for the respondents 1 and 2 and Mr.P.Anandhakumar, learned Government Advocate takes notice for the 3rd respondent.

6. The learned Standing Counsel appearing for the respondents 1 and 2, on written instructions, submits that the 4th respondent has made a request for survey of the property in T.S.Nos.240 and 242 and the official respondents are not interfering with the possession of the petitioner.



W.P.No.22561 of 2023

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7. If the 4th respondent has made a request for survey of the property, it is always open to the officials respondents 1 and 2 to survey the property, after issuing necessary notice to the petitioner as well as 4th respondent. Therefore, recording the said statement made by the learned Standing Counsel for the respondents 1 and 2 that they only intend to survey the property in question, the writ petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

01.08.2023

Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No
dm



W.P.No.22561 of 2023

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W.P.No.22561 of 2023

S.SOUNTHAR, J.

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W.P.No.22561 of 2023

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