



W.P.No.26434 of 2022

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.07.2023

CORAM :

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

AND

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

W.P.No.26434 of 2022

R.Mohan

.. Petitioner

Vs.

1. The State of Tamil Nadu
Rep. by its Secretary to State
Municipal Administration and Water
Supply Department
Fort St. George
Chennai 600 009.
2. The Commissioner
Greater Chennai Corporation
Ripon Buildings
Chennai 600 003.
3. The District Revenue Officer
Land and Estate Department
Greater Chennai Corporation
Ripon Buildings
Chennai 600 003.
4. The Zonal Officer
Zone-XIII



W.P.No.26434 of 2022

WEB COPY

Greater Chennai Corporation
Adyar
Chennai 600 020.

5. The Tahsildar
Velachery Taluk
Taramani 100 Feet Road
Chennai 600 113.

6. M/s. JHN Shasanem Trade Center Private Limited
Rep. by its Director Jainullabdeen Haja Najumudeen
No.5, Anaikatti Maidan, Beema Nagar
Trichy 620 001.

[R5 & R6 impleaded vide order dated
10.02.2023 in WMP No.32303/2022]

7. J.H.Najumudeen

.. Respondents

[R7 impleaded vide order dated
10.02.2023 in WMP No.2071/2023]

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the respondents to remove the encroachment by fencing the land to an extent of 4 grounds and 1655 square feet, comprised in S.Nos.64, Block No.22 situated in Urur Village, Adyar, Chennai, earmarked and reserved for public purpose and transferred in the name of the second respondent vide document No.1838 of 1971 on the file of the Sub-Registrar, Saidapet, Chennai, after surveying the public purpose land reserved for public purpose by measuring the metes and bounds and to protect and maintain the same as a play area or park for the public purpose.



W.P.No.26434 of 2022

WEB COPY

For the Petitioner : Mr.J.Ashok

For the Respondents : Mrs.R.Anitha
Special Government Pleader
for Respondent-1

Mr.A.Arunbabu
for Respondents 2 to 4

Mr.P.L.Narayanan
for Respondents 6 & 7

ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.J.Ashok, learned counsel for the petitioner, Mrs.R.Anitha, learned Special Government Pleader for the first respondent, Mr.A.Arunbabu, learned counsel for the respondents 2 to 4 and Mr.P.L.Narayanan, learned counsel for the respondents 6 and 7.

2. Learned Special Government Pleader submits that the date for inspection is fixed on 10.08.2023. The inspection would be carried out on the said date. She further submits that pursuant to the inspection, if it is found that there is an encroachment or fencing of



W.P.No.26434 of 2022

WEB COPY

the OSR land, steps would be taken in accordance with law.

3. In view of the aforesaid statement, the writ petition stands disposed of. If, in future, the encroachment subsists in the OSR land, the petitioner is at liberty to approach the Court afresh. There will be no order as to costs.

(S.V.G., CJ.)

(P.D.A., J.)

26.07.2023

Index : Yes/No
Neutral Citation : Yes/No

kpl

To

1. The Secretary to State
Municipal Administration and Water Supply Department
Fort St. George, Chennai 600 009.
2. The Commissioner
Greater Chennai Corporation
Ripon Buildings, Chennai 600 003.
3. The District Revenue Officer
Land and Estate Department
Greater Chennai Corporation
Ripon Buildings, Chennai 600 003.



W.P.No.26434 of 2022

4. The Zonal Officer
Zone-XIII
Greater Chennai Corporation
Adyar, Chennai 600 020.
5. The Tahsildar
Velachery Taluk
Taramani 100 Feet Road
Chennai 600 113.



WEB COPY



W.P.No.26434 of 2022

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

(kpl)

W.P.No.26434 of 2022

26.07.2023