



W.P.No.25017 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.11.2023

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THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.25017 of 2023

Sree Balaji Nagar Residential Welfare Association,
Represented by its President,
G.Ramachandran.

... Petitioner

versus

- 1.The District Collector,
Chennai District,
Chennai – 600 001.
- 2.The Revenue Divisional Officer,
Revenue District, North Chennai,
Puzhal, Chennai – 600 066.
- 3.The Tahsildar,
Madhavaram Taluk,
Puzhal, Chennai – 600 066.
- 4.The Zonal Officer,
Zonal – III,
Greater Chennai Corporation,
No1, Thattankulam Salai,
Madhavaram, Chennai – 600 060.



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5. The Executive Engineer,
Greater Chennai Corporation,
Zonal – III, No.1, Thattankulam Salai,
Madhavaram, Chennai -600 060.

.....Respondents

Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus directing respondents 1 to 3 to give No Objection and co-operate with the 4th and 5th respondents for formation of Storm Water Drain Canal in the 18th Street, Balaji Nagar (Ward 23, Division VI, Zonal III) Puzhal Village, Madhavaram Taluk, North Chennai Revenue Division, Chennai District.

For Petitioner : Mr.S.P.Sudalaiyandi
For Respondents : Mr.V.Veluchamy
Additional Government Pleader
for R1 to R3
Mrs.P.T.Ramadevi
Standing Counsel for Greater Chennai
Corporation for R4 and R5

ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus directing respondents 1 to 3 to give "No Objection Certificate" and to co-operate with 4th and 5th respondents for formation of Storm Water Drain Canal in the 18th Street, Balaji Nagar (Ward 23, Division VI, Zonal III) Puzhal Village, Madhavaram Taluk, North Chennai Revenue Division,



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Chennai District.

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2. The case of the petitioner-Association is that the Government of Tamil Nadu issued an order to the Greater Chennai Corporation to renovate the storm water drain and construct integrated storm water drain in Puzhal Surplus Watershed of Kosasthlaiyar basin in the extended areas of Greater Chennai Corporation. While so, 18th street, Balaji Nagar (Ward 23, Division VI, Zonal III) Puzhal Village Madhavaram Taluk, North Chennai Revenue Division, Chennai District is brought under the said scheme. Since the above said area is very close to the third respondent's Taluk Office, the third respondent/Tahsildar objected for formation of storm water drain canal in that area and due to the said objection the said work was stopped. Hence, the petitioner-Association has given a representation dated 22.06.2023 to respondents 1 to 3. However, the said representation has not been considered, so far, hence, the petitioner-Association is before this Court.



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3. When the matter was taken up for hearing on 19.10.2023, this Court appointed an Advocate Commissioner to inspect the subject property with the help of the qualified surveyor as to whether ongoing drainage construction is within the land of Taluk Office or beyond the land of the Taluk Office.

4. As per the direction of this Court, today, the Advocate Commissioner has filed a report dated 08.11.2023. The relevant paragraph of the said report is extracted hereunder :

" The Madhavaram Taluk office is situated in Survey Nos.239, 244 and 245 measuring an extent of Hectare 1.65 Ares.

The construction of Storm Water Drain Canal by the Greater Chennai Corporation with the breadth of 1.9 meters and length of 168 meters is starts from Survey No.238 and continue in Survey No.239 and ended in Survey No.241 of Puzhal Village. Hence, the ongoing Storm Water Drain Canal is crossing the land of Taluk Office in Survey No.239 of Puzhal Village. "



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5. It is seen from the Advocate Commissioner's report that ongoing drainage construction is within the land of Taluk Office. Therefore, respondents 4 and 5 are directed to remove the construction put up within the land of the Taluk Office and put up the said construction beyond the limits of the land of the Taluk Office.

6. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs.

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Index: Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
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