



WP No.31349 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.12.2023

CORAM

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

WP No.31349 of 2019
and WMP No.31526 of 2019

R.Sathish

.. Petitioner

-VS-

1. The Commissioner,
Corporation of Chennai,
Ripon Building, Chennai 600 003.
2. The Zonal Officer, Zone-XI,
Corporation of Chennai, Arcot Road,
Valasarawalkam, Chennai 600 087.
3. The Managing Director,
Chennai Metropolitan Water Supply
and Sewerage Board, No.1,
Pumping Station Road, Chintadripet,
Chennai 600 002.
4. The Electricity Department,
No.144, Anna Salai,
Mount Road, Chennai 600 002.

5. Jeevanandham

.. Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 1st respondent to remove the encroachments and debris put up by the 5th respondent in the road that connects Rukmani Nagar and Mettukuppam Main Road in Old Survey Number 297, New Survey Number 297/1, 2, 3 and 4 in Maduravoyal Village and maintain it as public road.

For the Petitioner : Mr.B.Pachaiyappan
for Mr.T.Gowthaman

For the Respondents : Mr.A.Arun Babu
Stdg. Counsel for RR 1 and 2
: Mr.Krishna Ravindran for R-3
: Mr.S.Thankasivan for R-5

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ORDER

(Made by the Hon'ble Chief Justice)

We have heard MrB.Pachaiyappan, learned counsel for the petitioner, Mr.A.Arun Babu, learned standing counsel for respondent Nos.1 and 2, Mr.Krishna Ravindran, learned counsel for respondent No.3 and Mr.S.Thangasivan, learned counsel for respondent No.5.

2. The petitioner alleges encroachment by the 5th respondent on 30 feet road that connects Rukmani Nagar and Mettukuppam Main



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Road in Old S.No.297, N.S.No.297/1, 2, 3 and 4 in Maduravoyal Village.

3. The counter-affidavit is filed by respondent No.5 to the effect that he is occupying the patta land and patta is issued in his favour.

4. There is no authentic document placed on record to suggest the existence of the road. It is for the Corporation to take steps if any encroachment appears on the road. The learned counsel for the Corporation would verify the facts and would take further course of action depending upon the survey report.

The writ petition is, accordingly, disposed of. There will be no order as to costs. Consequently, connected miscellaneous petition is closed.

(S.V.G., CJ.)

(D.B.C., J.)

15.12.2023

Index : Yes/No

Neutral Citation : Yes/No

sra



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THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY, J.

(sra)

To

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