



W.P.No.17818 of 2017

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.09.2023

CORAM :

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

AND

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

W.P.No.17818 of 2017

R.Sivakumar

.. Petitioner

Vs.

1. The Commissioner
Corporation of Chennai
Ripon Buildings, Park Town
Chennai – 600 003.
2. The Chairman
Tamil Nadu Slum Clearance Board
Kamarajar Road
Chepauk, Chennai – 600 005.
3. The Zonal Deputy Commissioner South
Greater Chennai Corporation
Ripon Buildings, Park Town
Chennai – 600 003.
4. The Assistant Engineer
Ward No.180, Zone – XIII
Corporation of Chennai, Tiruvanmiyur
Chennai – 600 041.



W.P.No.17818 of 2017

5. The Inspector of Police
J 13, Taramani Police Station
Chennai – 600 113.

6. E.Victoria

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of certiorari, calling for the records pertaining to the issue of the order in proceedings bearing Va.Thu.Aa(The).Na.Ka.No.9/2002-2017 dated 25.05.2017 passed by the Zonal Deputy Commissioner South, Greater Chennai Corporation Ripon Buildings, Park Town, Chennai – 600 003, the 3rd respondent herein and quash the same.

For the Petitioner : No Appearance

For the Respondents : Mr.A.Arun Babu
for R1, R3 & R4

Mr.Babu Muthumeeran
for R2

Mrs.R.Anitha
Special Government Pleader
for R5



W.P.No.17818 of 2017

WEB COPY

ORDER

(Made by the Hon'ble Chief Justice)

The petitioner is assailing the order dated 25.05.2017. Under the said order, a direction was given for removal of toilets.

2.1. A status report is filed on behalf of the Greater Chennai Corporation. It is submitted that the sixth respondent has filed a writ petition in W.P.No.30645 of 2012 praying for a Mandamus forbearing the respondents therein from putting up public toilet or interfering with the possession and enjoyment of the sixth respondent's property. This Court, under the order dated 29.10.2015, disposed of the said writ petition directing the first respondent therein to pass orders on the representation of the sixth respondent herein on its own merits.

2.2. It is stated in the status report that the Regional Deputy Commissioner (South), Greater Chennai Corporation has inspected the site in question and submitted his report stating that as per the revised layout, around 7.5 sq.m of the public convenience was constructed within the land belonging to the sixth respondent. After considering the



W.P.No.17818 of 2017

WEB COPY

report, the impugned order in the present writ petition has been passed.

2.3. It is further stated in the status report that the public convenience constructed in the sixth respondent's land was demolished and the land was handed over to the sixth respondent. Details of the five public conveniences within the approximate radius of 2 km from the land in question are also placed on record in the status report.

3. In view of the status report, the writ petition, as such, stands disposed of. There will be no order as to costs. Consequently, W.M.P.Nos.19329 & 19330 of 2017 are closed.

(S.V.G., CJ.)

(P.D.A., J.)

05.09.2023

Index : Yes/No
Neutral Citation : Yes/No

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W.P.No.17818 of 2017

WEB COPY

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W.P.No.17818 of 2017

THE HON'BLE CHIEF JUSTICE
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(drm)

W.P.No.17818 of 2017

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