



WEB COPY



W.P.No.35190 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.04.2023

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.35190 of 2022

S.Anithaa

Rep. by GPA Holder V.Balakrishnan

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Petitioner

VS

1. The Commissioner
Chennai Corporation
Chennai.

2. The Zonal Officer
Zone-13, Adayar Zone
Chennai – 20.

3. The Assistant Engineer
Ward 176, Zone -13, Adayar Zone
Chennai – 88.

..

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to remove the construction at the immediate western side of the petitioner's plot situated at Mambalam – Guindy Taluk, Velachery Srinivasa Nagar, comprised in S.No.337/-, New S.No.337/9 bearing Plot No.235 measuring 3600 Sq.ft and restrain them from putting up any further construction in the place.

For Petitioner : Mr.D.Baskar

For Respondents : Ms.P.T.Ramadevi
Standing Counsel

ORDER



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Pursuant to the interim orders passed by this Court, the Zonal Officer, Greater Chennai Corporation filed a status report. The relevant portion of the report reads as under:

“6. I respectfully submit that constructing pump room is a part of disaster management activity by the Greater Chennai Corporation and it is a precautionary measure to drain the excess of water stagnation during rainy season. However, considering please may the petitioner Greater Chennai Corporation has propose to alter the length of existing pump room so that the additional 6 feet will be added to the existing 14 feet plot frontage of the petitioner.

The revised size of the pump room made by Greater Chennai Corporation in this location as follow as:

- 1. Original length of pump room constructed – 16 feet.*
- 2. Original open space for entrance to the petitioner – 14 feet.*
- 3. Revised length of the pump room – 10 feet.*
- 4. The revised length of the entrance provided – 20 feet.”*



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2. The learned counsel appearing on behalf of the Chennai Corporation made a submission that 90% of the said portion were removed already and the balance portion will be removed shortly, including the wall which is causing obstruction to the petitioner's property.

3. The learned counsel for the Corporation made a submission that the entire obstruction will be removed within a period of one week from today (i.e., 05.04.2023).

4. This being the undertaking given by the learned counsel appearing on behalf of the Chennai Corporation, no further consideration is required. Accordingly, the respondents are directed to remove the entire portion and provide further access to the petitioner.

5. With these directions, the writ petition is disposed of. There will be no order as to costs.

05.04.2023

Index : Yes/No
Neutral Citation : Yes/No

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S.M. SUBRAMANIAM, J.

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