



WP No.35804 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.12.2023

CORAM

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

WP No.35804 of 2019
and WMP No.36696 of 2019

S.Manimaran

.. Petitioner

-VS-

1. The Enforcement Director,
Enforcement Cell, Chennai Metropolitan
Development Authority, No.1,
Gandhi Irwin Road, Egmore,
Chennai 600 008.
2. The Commissioner,
Greater Chennai Corporation,
Amma Maligai, Ripon Buildings,
Chennai 600 003.
3. The Zonal Executive Engineer,
Zonal Office, Zone-VII,
No.536, Thiruvallur Highway Road,
Ambattur, Chennai 600 053.
4. The Area Engineer,
Zonal Office, Zone-VII,
No.536, Thiruvallur Highway Road,
Ambattur, Chennai 600 053.



WP No.35804 of 2019

WEB COPY

5. The Assistant Executive Engineer,
Zonal Office, Zone-VII,
No.536, Thiruvallur Highway Road,
Ambattur, Chennai 600 053.

6. The Assistant Engineer,
Zonal Office, Zone-VII,
No.536, Thiruvallur Highway Road,
Ambattur, Chennai 600 053.

7. The Tahsildar,
Ambattur Taluk, Tiruvallur District,
Tamilnadu 600 053.

8. S.Dhanaraj
9. S.Punithavel
10.S.Varatharajan

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents 1 to 6 to take action based on the representation made on 09.10.2019 and 06.11.2019 against the unauthorized structure constructed by the respondents 8 to 10 at the project-site address in Plot No.149, Thirukural Munusamy Street, Panner Nagar, Mogappair East, Chennai 600 037, and comprised in T.S.No.26/3, Block No.37, Ward-H of Mogappair Village, Greater Chennai Corporation, Division-92, Zone-7, Mogappair East, Chennai 600 037.

For the Petitioner : Mr.V.Manisekaran

For the Respondents : Mr.R.Thamaraiselvan
Stdg. Counsel for R-1
: Ms.P.T.Ramadevi
Stdg. Counsel for RR 2 to 6
: Mr.K.Karthik Jagannath
Govt. Advocate for R-7

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WP No.35804 of 2019

WEB COPY

ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.V.Manisekaran, learned counsel for the petitioner, Mr.R.Thamaraiselvan, learned standing counsel for respondent No.1, Ms.P.T.Ramadevi, learned standing counsel for respondent Nos.2 to 6 and Mr.K.Karthik Jagannath, learned Government Advocate for respondent No.7.

2. The petitioner alleges unauthorised construction on the part of respondents 8 to 10 beyond the construction permission. It is submitted that they have encroached upon the adjacent plot.

3. The alleged construction is at a different place and the petitioner resides in a different area altogether. If respondents 8 to 10 have encroached upon some other private property, it is the person whose property is encroached would have a grievance and not the petitioner.



WP No.35804 of 2019

WEB COPY

The writ petition as such is dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

(S.V.G., CJ.)

(D.B.C., J.)

21.12.2023

Index : Yes/No

Neutral Citation : Yes/No

sra

To

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WP No.35804 of 2019

WEB COPY

- Ambattur, Chennai 600 053.
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WEB COPY



WP No.35804 of 2019

THE HON'BLE CHIEF JUSTICE
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WP No.35804 of 2019

21.12.2023