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W.P.No.6339 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.03.2023

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THE HONOURABLE MR. JUSTICE RMT.TEEKAA RAMAN

W.P.No.6339 of 2023

R.Suresh Franklin
S/o.V.Rathinam
No.5, Third Avenue West,
7th Main Road,
Thandeswaran Nagar, Chennai 41.

... Petitioner

Vs.

1.The State of Tamil Nadu
Represented by its Secretary
Department of Municipal Administration & Water Supply,
Fort St. George, Chennai 9.

2.The Commissioner
Corporation of Chennai,
Ripon Building,
Chennai 3.

3.The Assistant Engineer,
Division No.153, Chennai Corporation
Velacherry, Chennai 12.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st Respondent to retrieve the Petitioner's land situated in Plot No.36, 37 (part) comprised in survey No.320, admeasuring



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to the extent of 3600 sq. ft., Velacherry Village, Mambalam Guindy Taluk, Chennai from the 2nd Respondent which has been designated as Park area by consider Petitioner's representation dated 19.12.2022.

For Petitioner : Mr.A.Venkatsan

For Respondents : Mr.A.M.Ayyadurai (for R1)
Government Advocate

Mr.E.C.Ramesh (R2 & R3)
Standing counsel

ORDER

This Writ Petition has been filed seeking direction to the 1st Respondent to retrieve the Petitioner's land situated in Plot No.36, 37 (part) comprised in survey No.320, admeasuring to the extent of 3600 sq. ft., Velacherry Village, Mambalam Guindy Taluk, Chennai from the 2nd Respondent which has been designated as Park area by considering the Petitioner's representation dated 19.12.2022.

2.Heard the learned counsel appearing on behalf of the Petitioner, learned counsel appearing on behalf of the 1st Respondent and the learned counsel appearing on behalf of Respondents 2 & 3.



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3.Having regard to the submissions made by the learned counsel appearing on either side and taking into consideration the prayer sought for by the Petitioner, without expressing any opinion with regard to the merits of the case, this Court directs the 1st respondent to consider the Petitioner's representation dated 19.12.2022 and pass orders, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

4.Accordingly, the Writ Petition is allowed to the extent indicated above.

No costs.

07.03.2023

Index : Yes/No
Neutral citation : Yes/No
Speaking Order/Non-Speaking Order

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To

1.The Secretary
Department of Municipal Administration & Water Supply,
Fort St. George, Chennai 9.

2.The Commissioner
Corporation of Chennai,
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3.The Assistant Engineer,
Division No.153, Chennai Corporation
Velacherry, Chennai 12.

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