



W.P.No.1741 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.04.2024

CORAM :

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

AND

THE HON'BLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.1741 of 2023

M.Madhan Mohan

Vs.

.. Petitioner

1. The Commissioner of Chennai Corporation of Chennai.
2. The Executive Engineer
Zone – 14, Corporation of Chennai
Puzhuthivakkam Main Road
Puzhithivakkam, Chennai – 600 091.
3. The Tahsildar
Sholinganallur Taluk, Sholinganallur.
4. The Member Secretary
Chennai Metropolitan Development Authority
Chennai.
5. The Collector
Chennai District, George Town, Chennai.
6. The Commissioner
St. Thomas Mount, Panchayat Union
Chitlapakkam, Chennai.
7. The Managing Director and Chairman
CMWSSB, Chennai.



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8. Karthikeyapuram 12th Street Residents
Welfare Association Madippakkam
Rep. by P.Loganathan Authorized signatory
Plot No.1A, Flat No.1, Vaibhogam Homes
Karthikeyapuram 12th Street, Madippakkam
Chennai – 91.

[R8 impleaded vide order dated 05.01.2024 in
W.P.No.30928 of 2023 in W.P.No.1741 of 2023] .. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India
seeking a writ of mandamus, directing the respondents to remove the
encroachment on 12th Street Kathikeyapuram, Madippakkam, Chennai
– 600 091 and restore the same to 30 feet road forever.

For the Petitioner : M/s.C.Umashankar

For the Respondents : Mr.A.Arun Babu
Standing Counsel
for R1 and R2

Mr.A.Edwin Prabakar
State Government Pleader
assisted by Mr.K.Karthik
Jegannath
Government Advocate
for R3 and R5

Ms.P.Veena Suresh
for R4

Mr.T.K.Saravanan
Government Advocate
for R6

Ms.S.Deepika for R7

Mr.P.James Victor Rajkumar
for R8



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ORDER

(Made by the Hon'ble Chief Justice)

Heard M/s.C.Umashankar, learned counsel for the petitioner,

Mr.A.Arun Babu, learned Standing Counsel for respondents 1 and 2,

Mr.A.Edwin Prabakar, learned State Government Pleader assisted by

Mr.K.Karthik Jegannath, learned Government Advocate for

respondents 3 and 5, Ms.P.Veena Suresh, learned counsel for

respondent 4, Mr.T.K.Saravanan, learned Government Advocate for

respondent 6, Ms.S.Deepika, learned counsel for respondent 7 and

Mr.P.James Victor Rajkumar, learned counsel for respondent 8.

2. Learned State Government Pleader submits that there are encroachments on the either side of the road. According to the learned State Government Pleader, the land in S.Nos.184/4 and 186/15 are anadeenam lands. The same is disputed by the petitioner.

3. In a writ petition, we are not going to decide about the classification of the lands. According to the learned State Government Pleader, there are encroachments made by the private respondent, as well as the petitioner and by other persons also.



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4. Learned State Government Pleader submits that action, in accordance with law, would be initiated for removal of encroachments preferably within a period of three months from today.

5. If notices are issued by the Government Authorities, it will be open for the alleged encroachers to file reply to the same, which would be considered by the authorities before proceeding further.

6. With these observations, the writ petition stands disposed of. There shall be no orders as to costs. Consequently, W.M.P.No.1856 of 2023 is closed.

(S.V.G., C.J.)

(J.S.N.P., J.)

03.04.2024

Index : Yes/No
Neutral Citation : Yes/No

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To

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THE HON'BLE CHIEF JUSTICE
AND
J.SATHYA NARAYANA PRASAD, J.

(drm)

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