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W.P.No.2394 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2024

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.No.2394 of 2024

M/s.Jains Sasvat Flat Owners Association,
Rep by its President, Mr.A.Jagannathan,
2A, 1st Cross Street, 1st Main Road,
Andal Nagar, Adambakkam,
Chennai - 600 088.

... Petitioner

Vs.

- 1.The Commissioner,
The Corporation of Chennai,
Rippon Buildings, Chennai - 600 003.
- 2.The Executive Engineer,
The Corporation of Chennai,
No.31, Kasturba Nagar,
Thiruvengadam Street,
Adyar, Chennai - 600 020.
- 3.The General Manager,
The Metropolitan Transport Corporation,
No.2, Pallavan House, Pallavan Salai,
Anna Salai, Chennai - 600 002.

... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the 1st and 3rd respondents to remove the new Andal Nagar Bus Stop, in accordance with law.



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For Petitioner : Mr.V.Arunagiri

For Respondents : Mr.R.Babu, Standing Counsel for R3

ORDER

This Writ Petition has been filed seeking issuance of a Writ of Mandamus to direct the 1st and 3rd respondents to remove the new Andal Nagar Bus Stop, in accordance with law.

2. Heard Mr.V.Arunagiri, learned counsel for the petitioner and Mr.R.Babu, learned Standing Counsel who takes notice for R3.

3. The petitioner who is the President of the Flat Owners Association by name M/s.Jains Sasvat Flat Owners Association, has filed this Writ Petition by stating that his representation with regard to the establishment of Andal Nagar Bus Stop in front of his apartment to be removed, has not been considered by the respondent authority so far.

4. The learned counsel for the petitioner submitted that the bus stop has been located at a place where the road has an 'L' bend. In view



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of the same, even if people use the bus stop, may not be knowing the advent of the bus. So it is submitted that the respondents have established the Bus Stop without anticipating the likelihood of accident that might take place in the said place due to the wrong design.

5. However, the learned Standing Counsel for the third respondent submitted that the Bus Stop has not been constructed on the 'L' bend and it is located at a place quite forward from the 'L' bend.

6. These facts can be looked into if the bus stop area is inspected by the authorities concerned with the help of the Surveyor and Engineer. Since the representation of the petitioner is not considered and no order has been passed, it is worthwhile to direct the respondents to take appropriate action on the same. In such circumstances, the third respondent shall consider the representation submitted by the petitioner on 21.12.2023.

7. With the above observations, this Writ Petition is disposed and



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the third respondent is directed to consider the representation submitted by the petitioner on 21.12.2023 and pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order. No costs.

05.02.2024

Index : Yes /No
Internet : Yes/No
Speaking / Non-speaking
Neutral Citation : Yes / No
gsk



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R.N.MANJULA, J.

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