



W.P.No.14370 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.04.2024

CORAM :

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

AND

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

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T.Sri Krishna Bhagavat

.. Petitioner

Vs

- 1 The Chief Secretary  
Government of Tamil Nadu  
Namakkal Kavignar Maaligai  
Fort St. George Chennai - 600 009.
- 2 The Principal Secretary  
Housing and Urban Development Department  
Government of Tamil Nadu  
Namak kal Kavingnar Maaligai  
Fort St. George Chennai - 600 009.
- 3 The Commissioner  
Corporation of Chennai  
Greater - Chennai Corporation  
Ripon Building Chennai - 600003.
- 4 The Commissioner of Police GCC  
No.132 commissioner Office Building  
EVK Sampath Road Vepery Periyamet  
Chennai - 600007.



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5 The Chairman Managing Director  
Chennai Smart City Ltd.  
Wing D 5th Floor, Amma Maaligai  
Ripon Building  
Chennai - 600003.

6 The Union of India  
Rep. by its Secretary,  
Ministry of Urban Development,  
Nirman Bhavan, New Delhi.

..

Respondents

(R6 IMPEADED VIDE ORDER DT 13/7/2021)

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondent to consider representation of the petitioner dated 12/06/2021 (a) To strictly implement the rules prescribed under the policy formulated by the National Transport Development Policy Committee (NTDPC) report published by the Union Ministry of Urban Development with respect to parking of vehicles in public spaces in the city of Chennai and thus render justice. (b) Formulate rules to enable local bodies / authorities to enforce action against vehicles and owners of such vehicles parked illegally on public spaces apart from charging penalties. (c) Fix the penalty for illegal parking so as to act as a detriment for vehicles being parked illegally at public spaces in the city of Chennai and commence enforcing by either private partnership model or technology like Fast Tag within a fixed period. (d) Formulate any additional rules to ensure the city is open defecation/urination free within a fixed period. (e) to remove any encroachment of pavements and roads by temples, mosques, churches or any person and initiate action against the officials who have not taken action against the illegal constructions/ encroachments. (f) to formulate necessary rules to ensure there is no electricity connection given to any structure which is illegally put up on public land.

For the Petitioner

: Mr.T.Sri Krishna Bhagavat  
Party-in-Person



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For the Respondents : Mr.A.Edwin Prabakar  
State Government Pleader  
for respondents 1, 2 and 4

: Mr.G.T.Subramanian  
for respondents 3 and 5

: Mr.M.Ramamoorthi  
Senior Panel Counsel  
for 6<sup>th</sup> respondent

### ORDER

(Order of the court was made by the Hon'ble Chief Justice)

Heard Mr.T.Sri Krishna Bhagavat, the petitioner appearing in person; Mr.A.Edwin Prabakar, learned State Government Pleader for respondents 1, 2 and 4; Mr.G.T.Subramanian, learned counsel for respondents 3 and 5; and Mr.M.Ramamoorthi, learned Senior Panel Counsel for the sixth respondent.

2. The writ petition is filed to strictly implement the rules prescribed under the policy formulated by the National Transport Development Policy Committee (NTDPC) with respect to parking of vehicles in public spaces in the City of Chennai. The petitioner also



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seeks directions against the respondents to formulate rules to enable local bodies/authorities to enforce action against vehicles and owners of such vehicles parked illegally on public spaces apart from charging penalties.

3. The Additional Secretary to Government, Housing and Urban Development Department, has filed a status report. The affidavit states that the Greater Chennai Corporation has prepared a draft parking policy and a meeting was held on 3.4.2023 under the Chairmanship of the Chief Secretary to Government with the stakeholder departments and various decisions, as enumerated therein, are taken.

4. It is further submitted that the Chennai Unified Metropolitan Transport Authority (CUMTA) is directed to prepare the parking policy for Chennai Metropolitan Area. The CUMTA prepared a draft parking policy for the Chennai Metropolitan Area and the said draft parking policy was presented in the meeting held on 11.3.2024 and the policy with incorporated suggestions has been submitted to the Housing and Urban Development Department for approval. The same has been



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circulated to other departments and after their remarks are obtained, the draft parking policy would be finalised and orders in circulation would be obtained.

5. Learned State Government Pleader submits that the said draft parking policy will be finalised within a period of three months from today. The statement is accepted.

6. It is expected that after the parking policy is evolved, the same would be implemented *stricto sensu* so as to avoid inconvenience caused to the general public.

7. In case there is unreasonable delay in formulating the policy, then the petitioner may agitate afresh.

The writ petition is disposed of accordingly. There shall be no order as to costs.

(S.V.G., CJ.)

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

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Index : Yes/No  
Neutral Citation : Yes/No



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THE HON'BLE CHIEF JUSTICE  
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(sasi)

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