



WEB COPY



W.P.No.17288 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.06.2024

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THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.17288 of 2021
and
W.M.P. No. 18310 of 2021

Essani Chordia

... Petitioner

Vs

1. The Commissioner
Greater Chennai Corporation,
Rippon Building,
Poonamallee High Road,
Chennai – 600 003.
2. The Assistant Engineer,
Bridges Department,
4th Floor, Rippon Building Complex,
Chennai – 600 003.
3. The Revenue Divisional Officer/
The Land Acquisition Officer,
North Chennai Revenue District,
Tondiarpet,
Chennai – 600 081.

... Respondents



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Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the respondents their men, agents or any one interfering with the petitioner's peaceful possession of running of the petrol bunk situate at Sy. No. 231/13, Plot No. 21, Vadaperumbakkam, Puzhal Village, Madhavaram Circle, Thiruvallur District.

For Petitioner : M/s. V.Srimathi

For Respondents : Mrs. P.T.Ramadevi,
Standing Counsel (for R1 & R2)

Mr. S.J.Mohamed Sathik,
Government Advocate (for R3)

O R D E R

This Writ Petition has been filed to forbear the respondents from interfering with the petitioner's peaceful possession of running of the petrol bunk situated at Sy. No. 231/13, Plot No. 21, Vadaperumbakkam, Puzhal Village, Madhavaram Circle, Thiruvallur District (hereinafter referred to as 'the subject property' for short).



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2. The petitioner had purchased the subject property by way of registered sale deed. He had applied before the Bharath Petroleum Corporation seeking license to run a petrol bunk outlet in the subject property and it measures an extent of about 11,000 sq.ft. Accordingly, the petitioner was approved retail outlet shop and she is running the Petrol Bunk. While that being so, the respondents herein without any notice and acquisition proceedings, they attempted to mark the some portion of the subject property to lay down the bridge.

3. The learned counsel for the first and second respondents submitted that she failed to get proper instructions from the first and second respondents so far.

4. Considering the above, the respondents are directed not to interfere with the petitioner's peaceful possession of running of the petrol bunk situated at Sy. No. 231/13, Plot No. 21, Vadaperumbakkam, Puzhal Village, Madhavaram Circle, Thiruvallur District without any due process of



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law. It is made clear that if the respondents want to acquire to lay the bridge in the subject property, they are at liberty to proceed in accordance with law.

5. With the above directions, this Writ Petition is disposed of.

Consequently, the connected Miscellaneous Petition is closed. No costs.

28.06.2024

Index:Yes/No

Neutral Citation/Yes/No

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To

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G.K.ILANTHIRAIYAN, J.

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