



W.P.No. 21010 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.08.2024

CORAM:

THE HONOURABLE **MRS. JUSTICE V.BHAVANI SUBBAROYAN**

W.P.No.21010 of 2024

Gayathri

.. Petitioner

Versus

1.The Secretary to Government,  
Municipal Administration and Water Supply Department,  
Secretariat, St.George Fort,  
Chennai.

2. The Commissioner,  
Tambaram Corporation,  
Chennai – 600 045..

3. The Tahsildar,  
Pallavaram Tashildar Office,  
Pallavaram.

...Respondents

**Prayer:** This petition is filed under Article 226 of the Constitution of India to issue a writ of Mandamus directing the respondents 1 to 3 herein for removal of the Solid waste dumped in petitioner's property, production of green fertilizer comprised in Old survey No-152/10, Ward-A, Block-9, T.S.No-3, Plot No-12 comprising 2400 sq.ft situated in



W.P.No. 21010 of 2024

Pammal town, Pallavaram Taluk, Chengalpattu District within the Tambaram Corporation limit and consequently direct the 3<sup>rd</sup> respondent to grant patta to the Applicants as per Online patta Change application Number, 2024/0153/35/0153/35/004348 dated 25.06.2024 and pass orders.

For Petitioner : Mr.R. Rajaramani

For Respondent-1 : Mr.Dr.T.Seenivasan  
Special Government Pleader

For Respondent- 2 :Mr. P.Srinivas, Standing Counsel

For Respondent-3 : Mr.M. Venkateswaran  
Special Government Pleader

**ORDER**

This petition is filed to seeking a direction to the respondents to consider petitioner's representation dated 25.06.2024 and pass orders.

2. Mr.T.Seenivasan, Special Government Pleader takes notice for the first Respondent. Mr. P.Srinivas, Standing Counsel, takes notice for the second respondent. Mr.M. Venkateswaran, Special Government Pleader takes notice for the third respondent. In view of the consent expressed by the learned counsel appearing for either side, this petition is taken up for final disposal.



W.P.No. 21010 of 2024

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3.The facts of the case is that the property situated in Old Survey No-152/10, Ward-A, Block-9, T.S.No-3, Plot no-12 comprising 2400 Sq.Ft situated in Pammal Town, Pallavaram Taluk, Chengalpattu District is the ancestral property of the petitioner's family. The sum and substance of the case is that the subject property is occupied with solid waste. Dumping of solid waste in the private property is nothing but a nuisance to the usage of the property. Hence, the father of the petitioner has given a representation to the first respondent on 22.02.2023 to remove the solid waste and to issue patta in the name of the petitioner. As a result of which a survey was conducted and the second respondent in his communication has clearly stated that the subject land was being used by the Tambaram Corporation for the production of green fertilizer under the solid waste management scheme. However, no action was taken to remove the solid waste. Thereafter, petitioner's father passed away. Due to which the petitioner gave a representation to the respondents on 25.06.2024. However, there is no progress in the said representation. Hence, this petition.



W.P.No. 21010 of 2024

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4. The learned counsel for the petitioner submitted that it would be suffice if this Court issues a direction to the respondents to consider the petitioner's representation dated 25.06.2024 and pass orders.

5. The learned Standing counsel appearing for the second respondent submitted that that they will consider the case of the petitioner and take action in the manner known to law.

6. Heard both sides and perused the materials available on record.

7. Considering the facts of case and the prayer sought for by the petitioner, this Court is of the view that with regard to first limb of the prayer i.e removing the solid waste, the respondents are directed to remove the solid waste within a period of eight weeks from the date of receipt of a copy of this order. **With regard to second limb of the prayer i.e grant of patta in the subject land the petitioner has to ventilate his grievance by way of approaching the concerned revenue authorities and not by way of filing the present writ petition.**



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W.P.No. 21010 of 2024

8. With the aforesaid direction, this writ petition is disposed of. No order as to costs.

**01.08.2024**

Speaking order : Yes/No  
Neutral citation : Yes/No  
Index : Yes/No  
smn

To

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Secretariat, St.George Fort,  
Chennai.

2. The Commissioner,  
Tambaram Corporation,  
Chennai – 600 045..

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W.P.No. 21010 of 2024

**V.BHAVANI SUBBAROYAN, J.**

smn

W.P.No.21010 of 2024

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