



WP No.21545 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.08.2024

CORAM:

THE HON'BLE MR.D. KRISHNAKUMAR, ACTING CHIEF JUSTICE
AND

THE HONOURABLE MR.JUSTICE P.B. BALAJI

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G.Deepa

... Petitioner

versus

1.The Commissioner,
Greater Chennai Corporation,
Ambattur,
Chennai-600 053.

2.Vimala
3.Seshatri

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for the issuance of a writ of Mandamus, directing the first respondent to remove the respondents 2 and 3 being the encroachers based on the petitioner's representation dated 21.03.2024 in a time bound manner and pass orders.



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For the Petitioner

:Mr.R.Karunakaran

For the Respondents

:Mr.E.C.Ramesh

Standing Counsel for Corporation for
first respondent

ORDER

(Made by the Hon'ble Acting Chief Justice)

This writ petition is filed for a direction to first respondent to remove the respondents 2 and 3 being the encroachers based on the petitioner's representation dated 21.03.2024 in a time bound manner and pass orders.

2. According to the petitioner, the second respondent has put up asbestos sheet, preventing his tenants in the first floor to have ingress and egress to first floor of his building and preventing the customers from the road entering the first floor. If the said encroachment is not removed, it would cause great hardship to the petitioner. Hence, the petitioner has filed the present writ petition.



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3. Learned Standing Counsel for the Corporation, on instructions, has informed the Court that the second and third respondents are street vendors and Corporation will take necessary action for removal of the said encroachment in the aforesaid land. He further submits that the Zonal Officer, Chennai Corporation, is the competent authority to remove such encroachment.

4. Recording the aforesaid statement made by the learned Standing Counsel for the Corporation that the Zonal Officer, Chennai Corporation, being the competent authority to remove such encroachment in the aforesaid land, is not impleaded as a party in the present writ petition, and considering the facts and circumstances of the case, this court is inclined to pass order as follows:

i) The petitioner shall make a fresh representation to the Zonal Officer, Chennai Corporation, within a period of one week from the date of receipt of a copy of this order;

ii) On such representation being made by the petitioner, the Zonal Officer, Chennai Corporation, shall take necessary action for removal of said



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encroachment in accordance with law, after issuing notice to the encroachers. The said exercise shall be completed within a period eight weeks from the date of receipt of the said representation..

5. With the above directions, the writ petition stands disposed of.

There shall be no order as to costs.

(D.K.K., ACJ.) (P.B.B., J.)
05.08.2024

Index : Yes/No
Neutral Citation : Yes/No
mrn

To
The Commissioner,
Greater Chennai Corporation,
Ambattur,
Chennai-600 053.

2. The Zonal Officer,
Chennai Corporation.



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THE HON'BLE ACTING CHIEF JUSTICE

and

P.B. BALAJI, J.

(mrn)

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