



WEB COPY



W.P.No.5370 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.10.2024

CORAM

THE HON'BLE MR. JUSTICE G.K. ILANTHIRAIYAN

W.P.No.5370 of 2021
and
W.M.P.Nos.5961 and 5963 of 2021

1. T. Velmurugan
2. TK Sathyaseelan

... Petitioners

Vs.

1. The Commissioner,
Corporation of Chennai,
Rippon Building, Chennai 600 003.

2. The Assistant Engineer,
Corporation of Chennai Division 80,
Pudur, Ambattur, Chennai.

3. The Assistant Commissioner of Police,
Ambattur Police Station,
Ambattur, Chennai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the 2nd respondent, their men, agent, subordinates or any one claiming on behalf of them from in any manner whatsoever interfering with the peaceful possession and enjoyment of the petitioners commercial complex, comprised in 125/2A of Oragadam village, Ambattur Taluka, Tiruvallur District, bearing Door No.5, Banu Nagar Main Road, Ambattur, Chennai under the guise of providing



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facilities to the proposed medical clinic.

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For Petitioners : No Appearance

For Respondents : Mr.P.T. Ramadevi
Standing Counsel
for R1 and R2

Mr. C. Kathiravan
Special Government Pleader
for R3

ORDER

This Writ Petition has been filed for a direction, forbearing the second respondent from interfering with the peaceful possession and enjoyment of the petitioner's commercial complex comprised in 125/2A of Oragadam village, Ambattur Taluka, Tiruvallur District, bearing Door No.5, Banu Nagar Main Road, Ambattur, Chennai.

2. The petitioner owned the property comprised in 125/2A of Oragadam village, Ambattur Taluka, Tiruvallur District, bearing Door No.5, Banu Nagar Main Road, Ambattur, Chennai. The Banu Nagar Main Road is the only ingress and egress for the entire people at Banu Nagar and there is a Library functioning in the main road which is constructed abetting the



petitioner's commercial complex which is the main obstruction for free flow of traffic on the main road.

3. While being so, the Government had announced to set up 2,000 medical clinic in Tamil Nadu. The second respondent has chosen the Library building and initiated steps to convert the Library building into a medical clinic for Ambattur. Further, the second respondent, for the purpose of water and lavatory for the said medical clinic, had chosen the petitioner's commercial complex. Further, the second respondent with the help of the third respondent put up a bore well in front of the petitioner's commercial complex. However, without disturbing the peaceful possession and enjoyment of the petitioner's commercial complex, the respondents can proceed with the proposed construction.

4. With the above directions, this writ petition is disposed of. No Costs. Consequently, the connected miscellaneous petitions are closed.

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Index : Yes/No
Speaking Order : Yes / No
Neutral Citation Case: Yes / No
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G.K. ILANTHIRAIYAN. J.,

ab

To

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