



WEB COPY



1

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.12.2024

CORAM

THE HON'BLE Mr. JUSTICE **C.V.KARTHIKEYAN**

W.P.No.26956 of 2022
and
W.M.P.No.26169 of 2022

1.T.Kannappa Gurukkal @ T.Venkatasubramanian
2.T.K.Shanthi

.. Petitioners

Vs.

- 1.The State of Tamil Nadu
Rep. by its Secretary,
Urban Development and Local Administration,
Secretariat, Fort St. George,
Chennai – 600 001.
- 2.The Commissioner,
Greater Chennai Corporation,
Ribbon Buildings, Central,
Chennai – 600 003.
- 3.The Deputy Commissioner,
Greater Chennai Corporation (Zone – 13),
No.115, Dr.Muthulakshmi Street (LB Road),
Adyar, Chennai – 600 020.
- 4.The Assistant Engineer,
Greater Chennai Corporation Ward 179,
No.2, 8th East Street,
Kamara Salai, Thiruvanmiyur,
Chennai – 600 041.

.. Respondents



Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the respondents from proceeding with the construction of public toilet at Kalashetra Road in front of the main gate of petitioners premises at Door No.3(1A), Kalashetra Road, Thiruvannamiyur, Chennai – 600 041 comprised in Survey T.S.No.104 for which old Survey No.126/7B of Thiruvannamiyur Village.

For Petitioners	.. Mr.A.Arumugam
For R1	.. Mr.V.Nanmaran, Additional Government Pleader
For R2 to R4	.. Ms.K.Aswini Devi, Standing Counsel

ORDER

This Writ Petition has been filed in the nature of a Mandamus seeking direction against the respondents, particularly the 4th respondent, Assistant Engineer, Greater Chennai Corporation Ward 179, Thiruvannamiyur, Chennai, not to proceed with the construction of a public toilet at Kalashetra Road in the front of the main gate of the petitioners premises at Door No.3(1A), Kalashetra Road, Thiruvannamiyur, Chennai in Survey T.S.No.104, Old S.No.127/7B, Thiruvannamiyur.



2.The grievance of the writ petitioners is that the respondents had commenced putting up a public toilet right in front of the main gate of the house of the petitioners. Therefore, they had come forward by filing the writ petition.

3.When the writ petition had been coming up for hearing, a perusal of the records revealed that an interim order has been passed on 07.10.2022 by a learned Single Judge of this Court directing to maintain *status quo*. It is complained that, however, the respondents had put up a brick wall for construction of the public toilet. It is now informed that the respondents have constructed a public toilet in an alternate place at 6th Avenue in Besant Nagar, which public toilet is now functioning. Therefore, the wall which has been put up is no longer required and the public toilet proposed in front of the house of the petitioner is also not required.

4.The learned counsel for the respondents stated that the respondents have taken a decision to demolish the wall.



5. Recording the above statement, this Writ Petition stands allowed.

No costs. Consequently, connect Miscellaneous Petition is closed. A time period is given to demolish the wall. It should be demolished on or before 17.01.2025.

20.12.2024

Index: Yes/No
Internet: Yes/No
smv

To



The Deputy Registrar,
Thirukovilur Commodity Co-operative Societies,
Co-operative Societies Deputy Registrar Office,
Thirukovilur Saragam,
Teacher Nagar,
Santhaipeitai,
Thirukovilur - 605 766.

C.V.KARTHIKEYAN,J.
smv



WEB COPY



W.P.No.26956 of 2022

20.12.2024