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W.P.No.27698 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.09.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.27698 of 2024
and W.M.P.No.30218 of 2024

A.Audi Munuswamy

... Petitioner

Vs

1. The Commissioner,
Chennai Corporation, Ripon Building,
Chennai-600 003.

2. The Assistant Commissioner,
Zone 15, Sholiganalur,
Chennai-600 003.

3. The Assistant Engineer,
Division 193, Thuraipakkam,
Chennai-600 097.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents to dispose the petitioner's representation dated 02.09.2024 and subsequently not to lay down the road in the petitioner's property an extent of 20 cents (8.27 Ares) comprised in Survey No.57/4C1A1, Okkiyam Thuraipakkam, Chennai District.



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For Petitioner : M/s K.Varsha
For R1 to R3 : Mr.G.T.Subramanian
Standing Counsel

ORDER

This writ petition has been filed for direction directing the respondents to dispose the petitioner's representation dated 02.09.2024 and subsequently not to lay down the road in the petitioner's property an extent of 20 cents (8.27 Ares) comprised in Survey No.57/4C1A1, Okkiyam Thuraipakkam, Chennai District.

2. Heard and perused the materials available on record.

3. According to the petitioner, the petitioner owned property comprised in S.No.57/4C1A1, Okkiyam Thoraipakkam, Chennai District. While being so, the respondents 2 and 3, without following the provisions under Sections 74 and 76 of Chennai City Municipal Corporation Act, 1919 and without following the due process of law proposed to lay road in the patta land owned by the petitioner.



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4. On instructions, the learned Standing Counsel appearing for the respondents 1 to 3 submitted that there is a road. In order to strengthen the same, now the second and third respondents proposed to lay pucca road. That apart, the dispute is only on width of the road viz., 10 ft or 12 ft.

5. Therefore, the second and third respondents are directed to engage a surveyor from the concerned department to measure the petitioner's patta land and as per the survey report, lay the road in accordance with law.

6. With the above direction, this writ petition is disposed of. Consequently, connected Miscellaneous petition is closed. There shall be no order as to costs.

23.09.2024

Internet: Yes
Index : Yes/No
Neutral Citation : Yes/No
Speaking/Non Speaking order
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G.K.ILANTHIRAIYAN. J.

mn

To

1. The Commissioner,
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