



W.P.No.26469 of 2017
and WMP.No.28171 of 2017

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C.V.KARTHIKEYAN, J.

This matter is listed today under the caption 'for being mentioned' at the instance of the learned counsel for the petitioner.

2. The learned counsel appearing for the petitioner sought a clarification in the order dated 02.12.2024 in W.P.No.26469 of 2017 before this Court. For better appreciation, relevant paragraph of the said order is extracted hereunder:

“17. The issue of title is merely stated by this Court. The petitioner has to institute a proper suit seeking direction to that effect. Her right to claim title alone is affirmed by this Court. At the same time, it is also balanced by the right of the Municipality and the duty of the Municipality to maintain necessary amenities, for the residents who are residing in the building abutting the said road. If ever, the Municipality seeks to enter into the road to do any work, they may inform the petitioner of the same so that she may understand the nature of the work which is being executed.”



3. Considering the facts and circumstances of the case and the submission made by the learned counsel for the petitioner, this Court issues

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the following clarification in the said order at paragraph No.17.

“17. The issue of title is merely stated by this Court. The petitioner has to institute a proper suit seeking direction to that effect. Her right to claim title alone is affirmed by this Court. At the same time, it is also balanced by the right of the Municipality and the duty of the Municipality to maintain necessary amenities, for the residents who are residing in the building abutting the said road. If ever, the Municipality seeks to enter into the road to do any work, they may inform the petitioner in writing of the same so that she may understand the nature of the work which is being executed.”

4. Thereby, he would request that the said portion of the order may be corrected and copies may be issued accordingly.

5. Registry is directed to carry out the necessary corrections in the



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Order and issue fresh order copy.

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13.12.2024