



WP No.34754 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.03.2024

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

WP No.34754 of 2019

P.Sesubalan Raja

.. Petitioner

-vs-

1. The Commissioner,
Corporation of Chennai,
Ripon Building, Chennai.
2. The Commissioner of Police,
Greater Chennai Police,
Commissioner Office Building,
EVK Sampath Road, Vepery,
Chennai 600 007.
3. Traffic and Road Safety Cell,
Dr. Radhakrishnan Salai,
Mylapore, Chennai-4.
4. The Additional Commissioner (Traffic),
Commissioner Office Building,
EVK Sampath Building, Vepery,
Chennai 600 007.
5. The Joint Commissioner (Traffic),
North Chennai.
6. The Deputy Commissioner (Traffic),
Kamarajar Salai, Chennai.

.. Respondents



WP No.34754 of 2019

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 1st respondent to remove all the encroachments in all these streets/roads and also to attend the health hazardous and direct the respondent 2 to 6 to frame a scheme for providing proper traffic arrangement like appropriate parking area, one way traffic system, etc., in all the streets in Parry's Corner including Linghi Chetty Street, Thambu Chetty Street, Armenian Street, enabling the pedestrians to use the roads safely and to make the surroundings of our High court a model to the other parts of the city.

For the Petitioner : Mr.R.Sivakumar

For the Respondents : Ms.P.T.Ramadevi
Stdg. Counsel for R-1
: Mr.R.Gopinath,
Stdg. Counsel for R-2
: Mr.T.K.Saravanan,
Government Advocate for RR 3 to 6

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ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.R.Sivakumar, learned counsel for the petitioner, Ms.P.T.Ramadevi, learned standing counsel for respondent No.1, Mr.R.Gopinath, learned counsel for respondent No.2 and Mr.T.K.Saravanan, learned Government Advocate for respondent Nos.3 to 6.



WP No.34754 of 2019

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2. The present petition seeks directions to take action on the representation of the petitioner. The contention of the petitioner is that the encroachments are made in the streets/roads. There is no space available for regular movement of the traffic in all the streets at Parrys' Corner including Linghi Chetty Street, Thambu Chetty Street, Armenian Street. The pedestrians also cannot move safely. The pathways are used by the shop owners to exhibit their products.

3. According to the learned counsel for the petitioner, the petitioner has given suggestions earlier. The traffic was regulated, there was one-way traffic, but the same is also not being adhered to. The petitioner has given the following suggestions:

- i. One way traffic should be implemented in a strict manner in the above streets.
- ii. Two wheelers only should be allowed to park in the above streetes.
- iii. Even the two wheelers parking also must be on a single side. Alternative days the parking site should be changed as in other cities.
- iv. Loading and unloading of materials should not be allowed during day times.



WEB COPY



WP No.34754 of 2019

- v. That appropriate steps must be taken by the 1st respondent Corporation to remove the encroachment and to keep the area clean and healthy.

4. The respondent No.6 has filed a counter. The counter states about some steps being taken as against one SS Hyderabad Biriyani. The affidavit also states that the traffic police are properly implementing the traffic rules by deploying Sub Inspector of Police and other traffic police personnel. The patrol vehicles are regularly monitoring the unauthorised parking and the vehicles parked haphazardly are removed with the help of the traffic recovery van. The free flow of traffic is maintained.

5. Pathways are required to be kept clear of any obstructions. It is the responsibility of the Corporation to observe and monitor that the pathways are not encroached upon nor are being used to exhibit the products of the shopkeepers. If the same is noticed, then immediate deterrent action is required to be taken as against shop owners.



WP No.34754 of 2019

WEB COPY

6. It is also the responsibility of the traffic police to maintain safe and free flow of traffic and ensure that there are no impediments for the free flow of traffic. Steps can be undertaken by the Corporation and the traffic police to regulate the movement of the traffic in a manner that there would be hassle-free movement of the traffic. The various initiatives can be taken by the respondents in that regard. They may also consider the representation given by the petitioner on its own merits.

With these observations, the writ petition is disposed of. There shall be no order as to costs.

(S.V.G., CJ.)

(D.B.C., J.)

06.03.2024

Index : Yes/No

Neutral Citation : Yes/No

sra

To

1. The Commissioner,
Corporation of Chennai,
Ripon Building, Chennai.



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WP No.34754 of 2019

THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY, J.

(sra)

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