



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 08.01.2024

CORAM

THE HONOURABLE **DR. JUSTICE ANITA SUMANTH**

W.P.No.60 of 2024
& WMP Nos.48 and 49 of 2024

1. P.Pavithra
2. P.Senthilnadhan

.... Petitioners

Vs

1. The State of Tamil Nadu,
rep. Secretary to Government,
Public Works Department,
St. George Fort, Secretariat,
Chennai – 600 009.
2. The Engineer in Chief & Chief Engineer,
Public Works Department, Chepauk,
Chennai – 600 005.

.... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus forbearing the respondents from putting up any construction or in any manner interfering with the peaceful possession and enjoyment of the land an extent of 336 sq.ft. measuring 14 ft in the north and south and 24 ft. in the east and west in the total extent of property of an extent of 1752 sq.ft. Situated at Old Door No.42B, New No.106, New Door No.20, Sheik Mastri Street, (Earlier Saint Xavier St.), Kasimedu, Royapuram, Chennai – 600



013 comprised in Old Survey No.2805, Resurvey No.3475/32 and New Resurvey No.3475/58.

WEB COPY

For Petitioners : Mr.A.Palaniappan

For Respondents : Mr.Vadivelu Deenadayalan
Additional Government Pleader

ORDER

Mr.Vadivelu Deenadayalan, learned Additional Government Pleader accepts notice for the respondents and is armed with instructions to enable final disposal of this Writ Petition, even at the stage of admission.

2. Learned Additional Government Pleader has an objection to the prayer for mandamus restraining the respondents from putting up construction or interfering with peaceful possession and enjoyment of land admeasuring 336 sq.ft. at Old Door No.42B, New No.106, New Door No.20, Sheik Mastri Street, Kasimedu, Royapuram, Chennai – 600 013 (Old Survey No.2805, Resurvey No.3475/32 and New Resurvey No.3475/58), since, as he rightly avers, such an order would be based on an assumption that the petitioners are the owners of the aforesaid land.

3. Since, the petitioners have made a representation before the respondents on 26.08.2021 seeking the same prayer as before this Court now, it



would suffice to direct R1 to consider and dispose the representation after obtaining inputs from the appropriate Tahsildar or any other officials as deemed necessary and after hearing the petitioner. Let this exercise be completed within a period of eight (8) weeks from date of receipt of a copy of this order.

4. This writ petition is disposed as above. No costs. Connected Miscellaneous Petitions are closed.

08.01.2024

Index : Yes/No

Speaking Order: Yes

Neutral Citation: Yes

sl

To

1. The State of Tamil Nadu,
rep. Secretary to Government,
Public Works Department,
St. George Fort, Secretariat,
Chennai – 600 009.
2. The Engineer in Chief & Chief Engineer,
Public Works Department, Chepauk,
Chennai – 600 005.



WEB COPY

W.P.No.60 of



DR.ANITA SUMANTH, J.

sl

W.P.No.60 of 2024

08.01.2024