



WEB COPY



W.P.No.1340 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.01.2024

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

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VIDYASAGAR OSWAL GARDEN OWNERS ASSOCIATION
REP BY ITS SECRETARY- VISHAL AGARWAL
N BLOCK ASSOCIATION ROOM,
VIDYASAGAR OSWAL GARDEN
NO.210/ 212 C.B.ROAD
KORUKKUPET CHENNAI – 600 021.

.. Petitioner

Vs

- 1 THE MEMBER SECRETARY TO THE CMDA
THALAMUTHU NATARAJAN BUILDING NO.1
GANDHI IRWIN ROAD EGMORE CHENNAI- 600 008.
- 2 THE ADDITIONAL CHIEF SECRETARY/COMMISSIONER
GREATER CHENNAI CORPORATION
RIPON BUILDING CHENNAI- 600 003.
- 3 THE PUBLIC RELATION OFFICER
GREATER CHENNAI CORPORATION RIPON BUILDING
CHENNAI- 600 003.
- 4 THE ZONAL OFFICER- ZONE-1
GREATER CHENNAI CORPORATION NO.947
T.H.ROAD THIRUVOTRIYUR
CHENNAI- 600 019.



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5 THE EXECUTIVE ENGINEER-ZONE-1
GREATER CHENNAI CORPORATION NO.947
T.H.ROAD THIRUVOTRIYUR
CHENNAI - 600 019.

6 THE ASSISTANT ENGINEER -ZONE-1
GREATER CHENNAI CORPORATION NO.947
T.H.ROAD THIRUVOTRIYUR
CHENNAI - 600 019.

7 PAVAN VOORA

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the 1st to 6th respondents to conduct a detailed enquiry or direction in the nature of writ to direct the respondents to consider the representation of petitioner letter dated on 29.09.2023 and consequently direct the respondents to remove the encroachers from the property gifted by the petitioner by way of gift deed documents No.3971/2010 and 3972/2010 for the purpose of widening of the road and to protect the Flat Owners from encroachers until widening of the road.

For the Petitioner : Mr.J.Karunakaran

For the Respondents : Mr.Y.Bhuvanesh Kumar
for 1st respondent

: Mr.E.C.Ramesh
for respondents 2 to 6



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ORDER

(Order of the court was made by the Hon'ble Chief Justice)

Heard Mr.J.Karunakaran, learned counsel for the petitioner;
Mr.Y.Bhuvanesh Kumar, learned counsel for the first respondent;
and Mr.E.C.Ramesh, learned counsel for respondents 2 to 6.

2. Learned counsel for the petitioner submits that the petitioner has executed a gift deed in favour of respondents 1 to 6 for the purpose of widening of road and now the seventh respondent has encroached upon the said land and the respondent authorities are also permitting the hawkers to occupy the same.

3. Learned counsel appearing for respondents 2 to 6, on instructions, submits that respondents 2 to 6 would consider the representation of the petitioner and if the said place is illegally occupied by hawkers or some other persons, then steps would be taken to remove the encroachments. The representation of the petitioner, according to learned counsel for respondents 2 to 6, will



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be decided within a period of four weeks.

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In view of the above, the writ petition stands disposed of.
There shall be no order as to costs. Consequently, W.M.P.No.1372
of 2024 is closed.

(S.V.G., CJ.)

(D.B.C., J.)

23.01.2024

Index : Yes/No
Neutral Citation : Yes/No
sasi

To:

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D.BHARATHA CHAKRAVARTHY,J.

(sasi)

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