



WP No. 9939 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.03.2025

CORAM

THE HONOURABLE MR JUSTICE J.SATHYA NARAYANA PRASAD

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and

W.M.P.No.11141 of 2025

Pioneer HIG "A" Flat Owners,
Association Reg No.271/2015,
By its Secretary Venkataraman,
256/7 Pioneer Colony,
East Main Road,
Annanagar West Extension,
Chennai 600 101.

Petitioner(s)

The Commissioner,
Greater Chennai Corporation,
Ripon Building No.1131,
EVR Periyar Salai, Park Town,
Chennai, Tamil Nadu 600 003.

Respondent

PRAYER: This Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, forbearing the respondent from erecting a Row of 25 Bunk shops on the pedestrian pavement adjoining the Compound Wall Pioneer HIG "A" Flat Owners colony at East Main Road, Annanagar West Extension,



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Chennai 101 and pass such other orders as this Court may deem fit and necessary.

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For Petitioner(s): Ms.S.R.Sumathy

For Respondent(s): M/s.K.Ashwini Devi
Standing Counsel

ORDER

This Writ Petition is filed for issuance of a writ of mandamus to forbear the respondent from erecting a Row of 25 Bunk shops on the pedestrian pavement adjoining the Compound Wall of Pioneer HIG "A" Flat Owners colony at East Main Road, Annanagar West Extension, Chennai 101.

2. M/s.K.Ashwini Devi, learned Standing Counsel, takes notice on behalf of the respondent. By consent of the parties, the main Writ Petition is taken up for final disposal at the time of admission stage itself.

3. The case of the petitioner is that the petitioner-Pioneer HIG "A" Flat Owners colony consists of 120 residential flats and within a radius of 400 to 500 meters of the petitioner-Apartments, there are five schools and two marriage halls are situated



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nearby the petitioner-Apartments, which causes heavy traffic on the East Main Road.

It is stated that adjoining to the petitioner-Apartments compound wall, there is a pedestrian pavement laid several years ago, which starts from Thirumangalam Police Station Junction till the end of the East Main Road. The said pedestrian pavement is used by the General Public, students at large number as this road is a traffic filled road. However, on 28.02.2025, the Officials of the respondent entered upon the pedestrian pavement and earmarked the pedestrian pavement adjoining the compound wall of the petitioner's Apartments, for erecting a row of 25 bunk shops. Pursuant thereto, the inhabitants of the petitioner's Apartments caused an email to the respondent and to the Hon'ble Chief Minister's Grievance Cell and Chief Engineer Metro Water Chintadripet, Chennai, stating that underneath the pedestrian pavement storm water drain has been laid several years ago, and it is still in usage. Further, Metro water line, drainage line, piped gas lines are passing through the pedestrian pavement. It is also stated that if the respondent erects a row of 25 bunk shops, it would cause lot of nuisances to the residents of the petitioner apartments and also to the road users at large. Further, the petitioner-Apartment residents made a representation through e-mail on 28.02.2025, seeking to withdraw the proposed



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commercialisation of the petitioner's peaceful residential locality. However, the said representation was not considered by the respondent. Hence, the petitioner had filed the present writ petition.

4. The learned counsel for the petitioner submitted that, it would suffice if this Court issues a direction to the respondent to consider the petitioner's e-mail representation dated 28.02.2025 and pass orders on the same within a particular time frame that may be fixed by this Court.

5. M/s.K.Ashwini Devi, learned Standing Counsel appearing for the respondent would submit that the petitioner may be directed to give fresh representation to the respondent and the same shall be considered and orders passed within the time frame fixed by this Court.

6. Heard both sides and perused the materials available on record.

7. Considering the submissions made by the learned counsel on either side and



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taking into consideration the facts and circumstances and also the relief sought for in

WEBSITE this writ petition, this Court passes the following directions:

(i) The petitioner shall submit fresh representation to the respondent, within a period of two weeks from the date of receipt of a copy of this order.

(ii) On receipt of such representation filed by the petitioner within the stipulated time, the respondent shall consider the same, on its own merits and pass appropriate orders in accordance with law, after giving due notice to the petitioner and affording an opportunity of personal hearing to the petitioner, within a period of six (6) weeks thereafter.

8. With the above observations and directions, this writ petition is disposed of.

No costs. Consequently, connected Miscellaneous Petition is closed.

25.03.2025

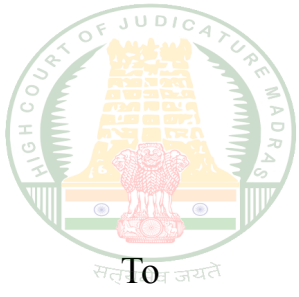
Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

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To
The Commissioner,
Greater Chennai Corporation,
Ripon Building No.1131,
EVR Periyar Salai, Park Town,
Chennai, Tamil Nadu 600 003.



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J.SATHYA NARAYANA PRASAD J.

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