



W.P.No.17039 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 09.06.2025

CORAM

THE HONOURABLE MR.JUSTICE **M.SUNDAR**
and
THE HONOURABLE MR.JUSTICE **P.DHANABAL**

W.P.No.17039 of 2025

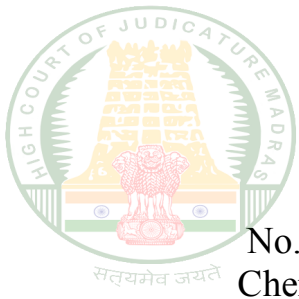
S.Venugopal

... Petitioner

Vs.

1. The Secretary
Municipal Administration and Water Supply Department
Government of Tamilnadu
Fort St.George, Kamarajar Salai
Chennai - 600 009
2. The Additional Chief Secretary /Commissioner
The Greater Chennai Corporation
Ripon Buildings
Chennai - 600 003
3. The Superintendent Engineer
Storm Water Drain Department Nodal Officer
The Greater Chennai Corporation
Ripon Buildings
Chennai - 600 003
4. The Regional Deputy Commissioner
Central Region, The Greater Chennai Corporation

Page Nos.1/8



W.P.No.17039 of 2025

No.13B/39B, Pulla Avenue, Shenoy Nagar
Chennai - 600 030

WEB COPY

5. The Zonal Officer
Zone -VI, The Greater Chennai Corporation
No.158, Strahans Road
Ottari, Chennai - 600 012

... Respondents

Writ Petition filed under Article 226 of The Constitution of India praying to issue a Writ of Mandamus to direct the respondent No.5 to implement the order of the Ombudsman of Tamilnadu Local Bodies, Guindy, Chennai - 600 032 vide order 214/ma/2023 dated 12.09.2023 to remove the encroachment made in road at Peravallur Village in Block No.32E & 41, T.S.No.195 at Venkatesan Salai, Chennai - 600 082 from the 12th Street to 10th Street of G.K.M Colony.

For Petitioner : Mr.D.Giribabu

For Respondents : Dr.T.Seenivasan
Special Govt. Pleader for R1 (MAWS)

Mr.D.B.R.Prabhu
Standing counsel for R2 to R5

ORDER

[Order of the Court was made by **M.SUNDAR, J.,**]

This order has to be read in conjunction with and in continuation of earlier proceedings made in the previous listing on 02.06.2025, which reads



W.P.No.17039 of 2025

as follows:

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'W.P. No.17039 of 2025

**M.SUNDAR,J.,
and
HEMANT CHANDANGOUDAR, J.,**

(Order of the Court was made by M.SUNDAR, J.)

The kernel of the matter is an 'order dated 12.09.2023 bearing reference ஆணை எண் :- 214/ டிபி- / 2023' [hereinafter 'said order' for the sake of brevity and convenience].

2. This Court wanted to know from Mr.D.Giribabu, learned counsel for writ petitioner about the Statute and the provision of law under which said order has been made.

3. Faced with the above situation, learned counsel requested for a short accommodation. Request acceded to.

4. List under the cause list caption 'Adjourned Admission' in the Admission Board i.e., Motion List one week hence.

List on 09.06.2025.'

2. Adverting to the earlier proceedings, Mr.D.Giribabu, learned counsel for writ petitioner has placed before us 'the Tamil Nadu Local Bodies Ombudsman Act, 2014' [hereinafter 'said Act' for the sake of brevity] and 'the Tamil Nadu Local Bodies Ombudsman (Manner of Filing, Inquiry and Disposal of Companies) Rules, 2015' [hereinafter 'said Rules' for the



W.P.No.17039 of 2025

sake of brevity] made thereunder.

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3. Learned counsel submits that said order has been made by R5 and that it has been made under Section 7(i) and 7(ii)(c) of said Act.

4. Learned counsel for writ petitioner submits that the writ petitioner only seeks implementation of said order.

5. Issue notice to respondents.

6. Dr.T.Seenivasan, learned Special Government Pleader accepts notice for R1 and Mr.D.B.R.Prabhu, learned Standing counsel accepts notice for R2 to R5.

7. Mr.D.B.R.Prabhu, learned Standing counsel for 'Greater Chennai Corporation' ['GCC' for the sake of brevity] submits that there is a specific provision under said Rules with regard to implementation of orders of Ombudsman and that the specific provision is Rule 12. To be noted, Rule 12 of said Rules reads as follows:

'12. Implementation of the order of the Ombudsman.- All the parties to the complaint and other persons to whom a direction was issued by Ombudsman in his/her order, as the case may be, are liable to implement the order of the Ombudsman. In case of non-implementation, severe action shall be taken by the competent authorities against those who fail to implement the orders of the



WEB COPY



W.P.No.17039 of 2025

Ombudsman, on a reference made by the Ombudsman.'

8. Adverting to Rule 12 of said Rules, learned Standing counsel for GCC submits that the writ petitioner should approach Competent Authority and in this case, the Competent Authority is R4 (Regional Deputy Commissioner, Central Region, Greater Chennai Corporation, No.13B/39B, Pulla Avenue, Shenoy Nagar, Chennai). This submission of learned Standing counsel for GCC is recorded.

9. Learned Standing counsel for GCC submits that R4/Competent Authority will implement the impugned order as expeditiously as the business of R4 permits but in any event within six weeks from today i.e., on or before 21.07.2025. This submission of learned Standing counsel for GCC is recorded as an undertaking given to the Court.

10. Be that as it may, we make it clear that if GCC or any other Authority has any right to assail the said order, such rights will stand preserved and such rights will not be impeded by this order.

11. This Court is of the considered view that recording the stated position of learned Standing counsel for GCC will suffice for giving a closure to the captioned WP. We do so.

12. Captioned WP disposed of as closed recording the stated position



W.P.No.17039 of 2025

of learned Standing counsel for GCC, which is captured supra. There shall

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be no order as to costs.

(M.S.,J.)

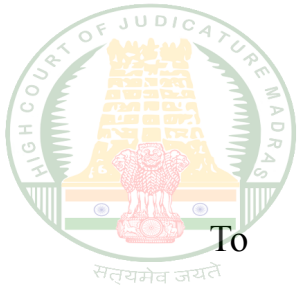
(P.D.B.,J.)

09.06.2025

Index : Yes / No

Neutral Citation : Yes / No

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W.P.No.17039 of 2025

To

WEB COPY

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WEB COPY



W.P.No.17039 of 2025

**M.SUNDAR, J.,
and
P.DHANABAL, J.,**

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W.P.No.17039 of 2025

09.06.2025