



WEB COPY

WP No. 21935 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-07-2025

CORAM

**THE HONOURABLE MRS JUSTICE J. NISHA BANU
AND
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN**

W.P. No. 21935 of 2025

R.S.Mugundhan

S/o.R.Sundaram, No.13, Appavooo

Gramini First Street, Mandaveli,

Chennai-600 028

Petitioner(s)

Vs

1. Area Engineer, Area-xiii

Greater Chennai Metropolitan Water Supply

And Sewage Board Adyar, Chennai-600 020.

2. S. Ramanathan

S/o.Late P.S.Srinivasan

No.14/2, Appavooo Gramini First Street,

Mandaveli, Chennai – 600 028.

Respondent(s)

[R2 impleaded vide order dated 11.07.2025

made in W.M.P.No.25977 of 2025 in

W.P.No.21935 of 2025 by JNBJ and MJRJ]

PRAYER: The Writ Petition is filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus directing the first respondent to consider the petitioner's representation dated 29.10.2024.



WEB COPY

WP No. 21935 of 2025



For Petitioner(s): Mr. K.Francis

For Respondent(s): Mr.V. V. Sundar for R1
Mr. R.Sreedhar for R2

ORDER

(Order of the Court was made by J.NISHA BANU, J.)

The present Writ Petition is filed to issue a Writ of Mandamus directing the first respondent to consider the petitioner's representation dated 29.10.2024.

2. It is the case of the petitioner that his son-in-law filed a Writ Petition in W.P.No.11645 of 2025 seeking direction to the Chennai Corporation to remove the encroachment and unauthorized construction put up in his patta land by the second respondent. Against this, the second respondent filed a suit before the V Assistant City Civil Court, Chennai, seeking a permanent injunction in O.S.No.9512 of 2019, in which, the petitioner herein was arrayed as the defendant. The said Writ Petition was disposed of with liberty to the Corporation to take necessary action with regard to the unauthorized construction, if any.

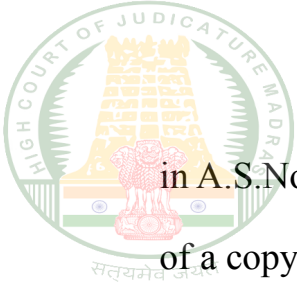


WEB COPY

3. It is the further case of the petitioner that the petitioner also contested the suit and finally, the same was dismissed on 25.08.2023. Immediately, the petitioner had informed the same along with a copy of the judgment to the first respondent on 08.09.2023 to take necessary action. The Corporation officials, after having received papers from both the parties, found that the water and sewerage pipe line was unauthorizedly installed in the petitioner's son-in-law's property and directed the Area Engineer to remove the pipe lines. However, so far, the Area Engineer, Area – XIII / respondent herein has not taken any action. Therefore, the petitioner made a representation before the first respondent on 29.10.2024, and the same is still pending. Hence, the petitioner is constrained to move the present Writ Petition.

4. The learned counsel appearing for the second respondent would submit that challenging the dismissal of the suit, the second respondent had filed an appeal in A.S.No.170 of 2025 before the II Additional City Civil Court, Chennai, and it is pending.

5. Considering the facts and circumstances of the case, this Court is of the view that it would be appropriate to issue a direction to the Appellate Court to dispose of the appeal filed by the second respondent. Accordingly, the learned II Additional Judge, City Civil Court, Chennai, is directed to dispose of the appeal



in A.S.No.170 of 2025 within a period of six (6) months from the date of receipt of a copy of this order.

WEB COPY

6. With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs.

(J.NISHA BANU J.) (M.JOTHIRAMAN J.)

11-07-2025

ASI

To

- 1.The II Additional Judge,
City Civil Court, Chennai.
2. The Area Engineer, Area-XIII
Greater Chennai Metropolitan Water
Supply And Sewage Board Adyar,
Chennai-600 020.
3. S. Ramanathan
S/o.Late P.S.Srinivasan
No.14/2, Appavooo Gramini First
Street, Mandaveli, Chennai – 600 028.



WEB COPY

WP No. 21935 of 2025



J.NISHA BANU J.
AND
M.JOTHIRAMAN J.

ASI

W.P. No. 21935 of 2025

11-07-2025