



W.P.No.32712 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.02.2025

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CORAM :

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

Writ Petition No.32712 of 2024
and W.M.P.Nos.35551 & 35553 of 2024

1.N.Gururaj

2.G.N.Ramalingam

3.N.Nandakumar

... Petitioners

Vs.

1.The Managing Director,
Chennai Metropolitan Water Supply and Sewerage Board,
No.1, Pumping Station Road,
Chintadripet, Chennai – 600 002.

2.The Assistant Executive Engineer,
Chennai Metropolitan Water Supply and Sewerage Board,
Kilpauk Water Treatment Plant,
Chennai Metro Water Regional Office-I,
No.1, New Avadi Road, Kilpauk, Chennai – 600 010.

3.The Assistant Engineer,
Chennai Metropolitan Water Supply and Sewerage Board,
Kilpauk Water Treatment Plant,
Chennai Metro Water Regional Office-I,
No.1, New Avadi Road, Kilpauk, Chennai – 600 010.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India,
praying for issuance of Writ of Mandamus forbearing the respondents from



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putting up any compound wall obstructing the ingress and egress to the petitioners' property, namely, House, Ground and Premises of extent 10464 Sq.ft situated at No.59, Madhanakuppam, Kolathur Post, Chennai – 600 099, comprised in S.No.618/A/2B1, Korattur Village, Ambattur Taluk, Chennai District, within the registration district of North Chennai and within the Sub Registration District of Villivakkam.

For Petitioners : Mr.P.Mohanraj

For Respondents 1 to 3 : Dr.N.Paul Sunder Singh

ORDER

The petitioners have filed this petition to forbear the respondents from putting up any compound wall obstructing the ingress and egress to the petitioners' property, namely, House, Ground and Premises of extent 10464 Sq.ft situated at No.59, Madhanakuppam, Kolathur Post, Chennai – 600 099, comprised in S.No.618/A/2B1, Korattur Village, Ambattur Taluk, Chennai District, within the registration district of North Chennai and within the Sub Registration District of Villivakkam.

2. The case of the petitioners is that the property comprised in S.No.618/A/2B1, Korattur Village, Ambattur Taluk, Thiruvallur District (Chennai District) to an extent of 24 Cents was originally purchased by the



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petitioners' father Mr.C.G.Naroni from P.Manickam and others in and by a Sale Deed dated 12-09-1966, registered as Document No.3748/1966, Book-I in the office of the Sub Registrar, Sembiam. Thereafter, the petitioners' father Mr.C.G.Naroni settled the above mentioned property in favour of the petitioners by a three separate Settlement Deeds dated 11.07.2007, registered as Document Nos.2761/2007, 2762/2007 and 2772/2007, Book-I in the office of the Sub-Registrar, Villivakkam. In the year 1968, the petitioners' father constructed a house on the said property, after getting due approval from the Competent Authority. Thereafter in the year 2000, the petitioners' father made additional construction with the approval of the Competent Authority and enjoyed the same as an absolute and exclusive owner thereof.

2.1. While the facts being so, the petitioners being aggrieved by an attempt made by the officials of the Chennai Metropolitan Water and Sewerage Board to construct a compound wall, submitted a representations before the first respondent on 08.08.2024, 23.09.2024 and 21.10.2024, requesting the respondents to refrain from constructing any compound wall and not to make any obstruction to the way, which is in usage for the past 50



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years and the said road is the only way to ingress and egress from the petitioners' house. However, the said representation was not considered till date. Hence, the petitioners have come forward with the present writ petition.

3. Though very many grounds have been raised in this writ petition, learned counsel for the petitioners submitted that, it would suffice, if this Court issues direction to the first respondent to consider the petitioners' representations dated 08.08.2024, 23.09.2024 and 21.10.2024 and pass orders on merits and in accordance with law, within a particular time frame to be fixed by this Court.

4. Learned standing counsel appearing for the respondents submitted that the representations of the petitioners dated 08.08.2024, 23.09.2024 and 21.10.2024 will be considered by the first respondent on merits and in accordance with law and appropriate orders will be passed, after conducting due inspection/enquiry, within a time frame stipulated by this Court.

5. Heard the learned counsel on either side and perused the materials



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placed on record.

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6. Considering the limited prayer sought for by the learned counsel for the petitioners, this Court without going into the merits of the case, directs the first respondent to consider the petitioners' representations dated 08.08.2024, 23.09.2024 and 21.10.2024, after giving due notice to the petitioner as well as aggrieved persons if any, affording an opportunity of personal hearing, conducting inspection/enquiry and pass appropriate orders on merits, in accordance with law and by following/observing the above principles of natural justice, within a period of three months from the date of receipt of a copy of this order.

7. This writ petition is disposed of with the aforesaid observation and directions. No costs. Consequently, connected miscellaneous petitions are closed.

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Speaking Order : Yes/No

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J.SATHYA NARAYANA PRASAD,J.

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To:

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