



WEB COPY



WP No. 36257 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-12-2025

CORAM

THE HONOURABLE Mr.JUSTICE **S. M. SUBRAMANIAM**
AND
THE HONOURABLE Mr.JUSTICE **C.KUMARAPPAN**

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1. E.Rajesh
S/o. Mr. Elangovan, No.72/100,
Bangaru Street, Ayanavaram,
Chennai-600 023.

2.Mr. E. Subhash
S/o. Mr. Elangovan, No.72/100,
Bangaru Street, Ayanavaram,
Chennai-600 023.

Petitioner(s)

Vs

1. The Zone Officer
Zone-6, Greater Chennai Corporation,
158, Strahans Road, Pattalam,
Purasaiwakkam, Chennai-600 012

2.The Assistant Executive Engineer
Ward-15, Zone -6,
Greater Chennai Corporation,
No.1, Jaganathan Street, Agaram,
Chennai-600 082

3.The Tashildar,
Ayanavaram District,
No.1, Palli Arasan Street,



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New Avadi Road, Aynavaram,
Chennai-600 023

4.The Inspector Of Police
K-5, Peravallur P.S.,
Kolathur District, Chennai.

5.The Deputy Commissioner Of Police
Kolathur District, Chennai.

6.B. Pandurangan
N.No.22a, Somaiya Raja Street,
Agaram, Chennai-600 082

Respondent(s)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the 2nd Respondent/Executive Engineer, Zone 6, Chennai Corporation, to take immediate and expeditious steps to remove the encroachment made by Mr. Pandurangan on Somaiya Street in front of the Petitioners' property and further direct the 4th Respondent/Inspector of Police, K-5 Peravallur Police Station, to provide adequate police protection to the officials of the Chennai Corporation for the purpose of conducting inspection and removal of the encroachment.

For Petitioner(s): M/s.Velmurugan Parthiban

For Respondent(s): Mrs.Aswini Devi.K,
Standing Counsel For RR1 & 2.
Mr.T.Arun Kumar,
AGP For R3.
Mr.M.Babu Muthu Meeran,
APP For R4 and R5.
Mr.K.N.Nataraj For R6.



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ORDER

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(Order of the Court was made by ***S.M.Subramaniam J.***)

Writ of Mandamus has been instituted to direct the 2nd respondent to take steps to remove the encroachment in front of the Petitioners' property.

2. The Tahsildar, Ayanavaram Taluk conducted field inspection and survey. A detailed status report filed by the Tahsildar would show that the subject passage having a width of about 7 feet appears to be a private passage. Further, the 6th respondent is objecting for use of private passage in T.S.No.2/1 of Block No.3 of Ayanavaram Town. Passage in T.S.No.2/1 of Block No.3 stands classified as "Ryotwari Manai" and stands registered in the names of Thiru.J.Ramachandran and V.J.Seetharama Reddiar. Since the 6th respondent has closed the ingress and egress of the petitioner through the said passage, the present writ petition came to be instituted. The Authority found that it is a private passage and there is no proof to establish that it is a public road. The learned Standing Counsel for Corporation would also reiterate that there is no record to establish that the subject street is a public street nor the Corporation is maintaining such street. That being the factum, the petitioner is at liberty to approach the competent Civil Court for claiming easementary right, if any in his opinion.



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3. With the above observations, this writ petition stands disposed of. No

costs.

(S.M.SUBRAMANIAM J.)(C.KUMARAPPAN J.)

05-12-2025

(2/2)

kmi

Index: Yes

Speaking order

Neutral Citation: Yes/No

To

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Purasaiwakkam, Chennai-600 012

2.The Assistant Executive Engineer

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Corporation, No.1, Jaganathan Street,
Agaram, Chennai-600 082

3.The Tashildar,

Aynavaram District, No.1, Palli
Arasan Street, New Avadi Road,
Aynavaram, Chennai-600 023

4.The Inspector Of Police

K-5, Peravallur P.S., Kolathur District,
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