



WEB COPY

WP No. 4736 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-04-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE K. SURENDER

WP No. 4736 of 2023

and

WMP No. 4741 of 2023

P.Kumaran

S/o. Mr.M.Parasuraman, No. 6/15, Bazaar Street,
Pushpagiri Village, Santhavasai Post,
Represented by his Power Agent,
C.P.Asokan(61 years), S/o. C.R. Parthasarathy,
No. 34, Taylors Road, Kilpauk,
Chennai - 600 010.

..Petitioner(s)

Vs

1. The Commissioner
Corporation of Chennai, Ripon Building, Park
Town, Chennai - 600 003.
2. The Zonal Officer,
Corporation of Chennai, Zone No. 6, Strans
Road, Chennai - 600 012.
3. The Chairman,
Chennai Metro Water Supply and Sewerage
Board, 1, Pumping Station Rd, Chintadripet,
Chennai – 600002.
4. The Periyar Nagar Welfare Association
(vide Regn.No.174/1980)
rep. By its president C.Thankamony,
Having Office at D-119, 18th Street,
Periyar Nagar, Chennai – 600 082.
(R4-impealed as per order of this Court
dt.1.4.2026 in WMP.No.33690 of 2025
by SMSJ & KSJ)

..Respondent(s)



To direct the Respondents to remove the encroachment of Cesspool erected in the schedule property.

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For Petitioner(s): Mr.S.M.B.Mushtaque Ahamed

For Respondent(s): Mr. A.Arun Babu
Standing Counsel for
Greater Chennai Corporation/R1 & R2
Mr.Jerry V.V.Sunder
Standing Counsel for CMWSSB for R3
Mr/M.Balasubramanian for R4

Order

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

Writ of Mandamus has been instituted to direct the respondents to remove the encroachment of Cesspool erected in the schedule property.

2. Learned Standing Counsel appearing for the Greater Chennai Corporation would submit that the authorities conducted field inspection and survey and found that the Cesspool is erected in the property belongs to the Chennai Corporation. Therefore, the writ petition is liable to be rejected.

3. Learned counsel for the petitioner would oppose by stating that the authorities have not considered the fact that the Cesspool has been constructed in his plot.

4. The petitioner, in the event of claiming any right over a portion of the



land, has to approach the competent civil court of law to establish his right.

High Court, in exercise of power of judicial review, cannot decide the title

dispute. That being the fact, the present writ petition is devoid of merits.

Accordingly, the Writ Petition stands dismissed. No costs. Consequently,

connected miscellaneous petition is closed.

(S.M.S.,J.) (K.S.,J.)
01-04-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

VSI

To

1. The Commissioner
Corporation of Chennai, Ripon Building,
Park Town, Chennai - 600 003.
2. The Zonal Officer,
Corporation of Chennai, Zone No. 6,
Strans Road, Chennai - 600 012.
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Board, 1, Pumping Station Rd, Chintadripet,
Chennai - 600002.



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**S.M.SUBRAMANIAM J.
AND
K.SURENDER J.**

VSI

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