

IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Special Original Jurisdiction )

Wednesday, the Twenty First day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice N.KIRUBAKARAN

and

The Hon`ble Mrs Justice T.V.THAMILSELVI

WP No.9838 of 2021

G.DHASARATHAN

[ PETITIONER ]

Vs

1 THE COMMISSIONER,  
CHENNAI CORPORATION,  
RIPPON BUILDING,  
CHENNAI 600 003.

[ RESPONDENTS ]

2 THE THASILDAR,  
AMBATTUR TALUK OFFICE, AMBATTUR,  
CHENNAI 600 053.

3 THE ZONAL OFFICER CUM COMMISSIONER,  
ZONE VII, AMBATTUR MUNICIPALITY  
BUILDING, AMBATTUR, CHENNAI 600 053.

4 THE ASSISTANT EXECUTIVE ENGINEER,  
ZONE VII, AMBATTUR MUNICIPALITY BUILDING,  
AMBATTUR, CHENNAI 600 053.

5 THE ASSISTANT ENGINEER,  
CHENNAI CORPORATION, WARD 91, ZONE 7,  
7TH CROSS STREET, MUGAPPAIR WEST,  
ERI SCHEME, CHENNAI 600 037.

6 THE INSPECTOR OF POLICE (L&O)  
V7, NOLAMBUR POLICE STATION,  
CHENNAI 600 037.

7 THE ASSISTANT EXECUTIVE ENGINEER,  
TAMILNADU ELECTRICITY BOARD, NOLAMBUR,  
CHENNAI 600 037.

8 THE ASSISTANT ENGINEER,  
CHENNAI METRO WATER DEPARTMENT,  
NOLAMBUR,  
CHENNAI 600 037.

9 N.DHANALAKSHMI

10 GOWRI

11 DINESH KUMAR,

12 T.RABI

Writ Petitions under Article 226 of the Constitution of India praying that in these circumstances stated therein and in the respective affidavits filed therewith the High Court will be pleased to issue a writ of Mandamus or any other writ or order or direction directing the 1 to 6 respondents to consider and thereby disposing the representation made by petitioner on 21.10.2020, 28.11.2020, 18.12.2020 and 21.12.2020 for survey / measure the common pathway situated in Chennai District, Ambattur Taluk, Chennai Corporation Limit, H/24 Ward, old Survey NO. 606 part, New Survey No. 107, Land classified as Government Pormboke, Kalainjar Street Measuring about 0-0365 Sq. Mtr of common pathway is nearly more about 205 feet length and 16 feet breath and evict unauthorized, unlawful building and sun shade or any type of encroachment in the common pathway as Government Poramboke, Kalainjar Street (in WP.No.9838/2021)

Order : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.K.YUVARAJ, Advocate for the petitioner and of MR.R.GOPINATH Standing Counse for 1, 3 to 5 respondents and MR.S.KAMALESH KANNAN Government Advocate for 2 & 6 respondents and MR.P.R.DILIPKUMAR Standing Counsel for 7<sup>th</sup> respondent and MR.R.GANESH BABU Advocate for 8<sup>th</sup> respondent the court made the following order:-

[Order of the Court was made by N.KIRUBAKARAN, J.,]

Mr.R.Gopinath, learned standing counsel takes notice on behalf of R1, R3 to R5; Mr.S.Kamalesh Kannan, learned Government Advocate takes notice on behalf of R2 & R6; Mr.P.R.Dilipkumar, learned standing counsel takes notice on behalf of R7 and Mr.R.Ganesh Babu, learned counsel takes notice on behalf of R8. Notice to the private respondents R9 & R10 returnable by 09.06.2021. Private notice including email, whatsapp and courier is also permitted.

2.It is the case of the petitioner that in the common pathway comprised in new survey No.107, the private respondents were already put up construction. Therefore, respondents 2 and 5 shall make inspection of the property belongs to the petitioner as well as to the private respondents and find out as to whether any encroachments have been made by both the parties. If it is so, what is the extent of the property. Respondents 2 and 5 shall file a status report along with sketch and photographs.

Call the matter on 09.06.2021.

-sd/-

21/04/2021

/ TRUE COPY /

Sub-Assistant Registrar ( Statistics / C.S. )  
High Court, Madras - 600 104.

TO

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NOLAMBUR,  
CHENNAI 600 037.

Order

in  
WP.9838/2021

Date :21/04/2021

From 26.2.2001 the Registry is issuing certified  
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SDR 28/04/2021



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