

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.06.2015

CORAM:

THE HON'BLE MR.JUSTICE SATISH K. AGNIHOTRI
AND
THE HON'BLE MR.JUSTICE M.VENUGOPAL

W.P. No.14320 of 2015

M. Krishnan

... Petitioner

vs.

1. The President
Tamil Nadu Slum Clearance Board
No.5, Kamarajar Salai
Chepauk, Chennai 600 005
2. The Estate Officer - 3
Tamil Nadu Slum Clearance Board
Chennai 600 039
3. The Revenue Officer - I
Gudisai Paguthi Mattru Variyam
Chennai Slum Clearance Board, Chennai
4. Loganayagi

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the first respondent to remove the encroachment in Door No.74, Plot No.75, Venkatapuram Scheme, Saidapet Taluk Office Road and re-survey both plot nos.75 and 76 and allot them to the petitioner and the fourth respondent as prescribed in the allotment order and sketch.

For petitioner : Mr. K. Thiruvalluvan

For RR 1-3 : Mr. B. Kesavan

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ORDER

(Order of the Court was made by SATISH K. AGNIHOTRI, J.)

Mr. B. Kesavan, learned counsel, takes notice for respondents 1 to 3.

2. This writ petition is filed seeking a writ of mandamus directing the first respondent to remove encroachment in Door No.74, Plot No.75, Venkatapuram Scheme, Saidapet Taluk Office Road and re-survey both plot nos.75 and 76 and allot them to the petitioner and the fourth respondent as prescribed in the allotment order and sketch.

3. The learned counsel for the petitioner submits that the petitioner is in possession of a Civil Court decree. Despite that, encroachment has been made by the fourth respondent in the land in question in Plot No.75, Venkatapuram Scheme at Saidapet Taluk Office Road, Chennai.

4. Once the petitioner has already obtained a decree in his favour, the proper course would be only to take recourse to the competent Civil Court for execution of the decree. This Court, as such, is not inclined to entertain this writ petition, at this stage.

Resultantly, the writ petition is dismissed. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

cad

To

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Gudisai Paguthi Mattru Variyam
Chennai Slum Clearance Board
Chennai

+1cc to Mr.K.Thiruvalluvan, Advocate, S.R.No.26190
+1cc to Mr.B.Kesavan, Advocate, S.R.No.16076

W.P. No.14320 of 2015

KJI (CO)
CA(10/06/2015)



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