

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.06.2015

CORAM

THE HON'BLE Mr.SANJAY KISHAN KAUL, CHIEF JUSTICE
and
THE HON'BLE Mr.JUSTICE T.S.SIVAGNANAM

W.P. No.18334 of 2015

A.Lakshmanan

... Petitioner

Versus

- 1.The Government of Tamil Nadu
represented by its Secretary,
Revenue Department,
Fort St.George, Chennai 600 0009.
- 2.The District Collector
Collectorate, Chengalput.
- 3.The Revenue Divisional Officer,
Collectorate, Chengulput.
- 4.The Tahsildar (ADW/Land Acquisition)
Collectorate, Chengulput.
- 5.Chief Surveyor, Collectorate, Chengalput.
- 6.The Block Development Officer,
Kattankulathur, Chengalput District.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for the issuance of a writ of Mandamus (in continuation of the order dated 22.04.2014 in W.P.No.11337 of 2014 of the petitioner, directing the respondents to remove the encroachment of 1 to 4 meters out of 6 meters as per the report and sketch filed by the Advocate-Commissioner and the Taluk Survey in COP.No.141 of 2013 in Consumer Disputes Redressal Forum, Chengalput and to make available full 6 meter width of road to the length of 95 meters from Chengalpet to Meleyur which road leads to Ammanapakkam and beyond.

For Petitioner : Mr.M.Kalayanasundaram
for Mr.R.Vasudevan

For Respondent : Mr.S.T.S.Murthy,
Government Pleader.

O R D E R

(Judgment of Court was made by The Honourable Chief Justice)

The petitioner has an issue of easementary rights qua his property and claims that the access to his property is affected by encroachment on a part of the road. The petitioner has availed of the remedy before the Consumer Court and also filed writ petition before this Court in which directions were issued to remove the encroachment. The petitioner alleges violation of orders and even filed contempt petitions. In the mean time, apparently the wall on the eastern side of the petitioner's land was demolished, possibly because that was encroached land area.

2. Now the petitioner seeks to give a colour of Public Interest Litigation to all the aforesaid proceedings by filing the present petition. We find this endeavour completely misconceived as it has no element of Public Interest Litigation.

3. The writ petition stands accordingly dismissed. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

ksr

To

1.The Secretary,
Government of Tamil Nadu
Revenue Department,
Fort St.George,
Chennai 600 0009.

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2.The District Collector,
Collectorate,
Chengalput.

3.The Revenue Divisional Officer,
Collectorate,
Chengulput.

4.The Tahsildar (ADW/Land Acquisition),
Collectorate,
Chengulput.

5.The Chief Surveyor,
Collectorate,
Chengalput.

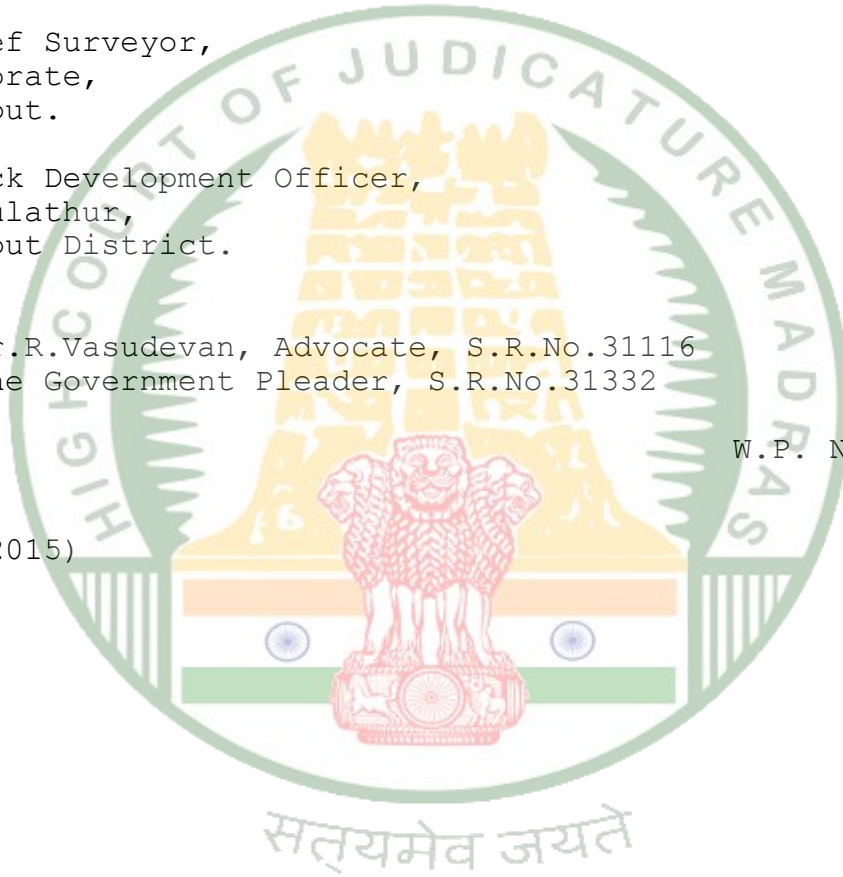
6.The Block Development Officer,
Kattankulathur,
Chengalput District.

+lcc to Mr.R.Vasudevan, Advocate, S.R.No.31116

+lcc to the Government Pleader, S.R.No.31332

W.P. Nos.18334 of 2015

KJI (CO)
CA(02/07/2015)



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