

In the High Court of Judicature at Madras

Dated: 14.08.2015

Coram:

The Honourable Mr. Justice T.S.SIVAGNANAM
and
The Honourable Mr. Justice G. CHOCKALINGAM

Writ Petition No. 25245 of 2015

L. Somadundaram

.. Petitioner

vs.

1. The Tahsildar
Uthukottai Taluk, Uthukottai
Tiruvallur District.

2. The Block Development Officer
Poondi Panchayat Union
Poondi, Tiruvallur Taluk & District.

3. Madhanagopal Reddy

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing respondents 1 and 2 to remove the encroachment made by the 3rd respondent in S.Nos.199 and 200 in Odai Promboke, Attrambakkam Village, Uthukottai Taluk, Tiruvallur District.

For Petitioner : Mr. C. Prakasam

For Respondents : Mr. N. Sakthivel
Govt. Advocate for R1 & R2.

O R D E R

(Made by T.S.SIVAGNANAM, J.)

Heard the learned counsel for the parties.

2. In this writ petition styled as 'public interest litigation', the petitioner seeks for a Mandamus directing respondents 1 and 2 to remove the encroachment made by the 3rd respondent in S.Nos.199 and 200 in Odai Promboke, Attrambakkam Village, Uthukottai Taluk, Tiruvallur District.

3. The petitioner submitted a representation on 09.07.2013 for removal of encroachment. The said representation was considered by the first respondent/Tahsildar and by a communication dated 23.08.2013 directed the second respondent/Block Development Officer to take appropriate action for removal of encroachment. Thereafter, the Block Development Officer (Village Panchayat) sent a communication to the first respondent on 08.06.2015 stating that a date has been fixed for removal of encroachment i.e. on 12.06.2015 at 11.00 a.m. and requesting the Tahsildar to visit the spot and for necessary action.

4. Grievance of the petitioner is that in spite of these communications, till date no action has been taken for removal of encroachment.

5. Learned Government Advocate submitted that appropriate action would be taken based on the communications between respondents 1 and 2 and prays for a reasonable time for the authorities to proceed in accordance with law. Accordingly, this writ petition is disposed of with a direction to the first respondent to consider the representation of the petitioner and cause removal of encroachment, if any, after notice to all concerned. The direction shall be complied within four weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

ATR

Copies to;

1. The Tahsildar
Uthukottai Taluk, Uthukottai
Tiruvallur District.
2. The Block Development Officer
Poondi Panchayat Union
Poondi, Tiruvallur Taluk & District.

+1 cc to The Government Pleader, sr.42934
+1 cc to Mr.C.Prakasam, Advocate, sr.43146

W.P. No. 25245 of 2015

lrs(co)
kra(27/08)