

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.08.2015

CORAM

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH

W.P.No.25681 of 2015

and M.P.No.1 of 2015

- 1.Mrs.S.Umadevi
- 2.Mrs.K.Vimala
- 3.Mrs.A.Jagatha
- 4.Mrs.Sudha @ Saral
- 5.Mrs.E.Radha
- 6.Mrs.K.Kala @ Kalaiyarasi
- 7.Mr.Masilamani
- 8.Mrs.R.Mangai
- 9.Mrs.P.Jeyalakshmi
- 10.Mrs.B.Jeyamala
- 11.Mrs.M.Chitra

.... Petitioners

-Vs-

- 1.The District Collector,
Thiruvallur District.
- 2.The Special Tahsildar,
Adi Dravidar Welfare,
Sriperumbudur,
Chingalpattu District.
- 3.The Special Tahsildar,
Adi Dravidar Welfare,
Ponneri Kottam,
Thiruvallur District.
- 4.Kuruvatta Land Surveyor,
Thirumazhisai Kuruvattam,
Poonamallee,
Thiruvallur District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus directing the 3rd respondent to measure the lands measuring 2.37 acres in S.No.108/2A & S.No.108/3 at No.38 Madavilagam Village, Poonamallee Taluk, Thiruvalluvar District identify, fix boundary stones & hand over possession of 3 cents to each petitioners as per assignment order dated 20.4.1994 of the 2nd respondent by removing encroachment in the above said lands.

For Petitioner : Mr.Lavan

For Respondents: Mr.S.Navaneethan
Additional Government Pleader

O R D E R

It is the grievance of the petitioner that despite the assignment having been made, encroachment has not been removed. What is available is lesser extent. Thus, the petitioners made a representation to the respondent no.3. The respondent no.3, in turn, directed the respondent 4 to do the needful. In the said communication dated 25.04.2013, the respondent no.3 has specifically stated that the respondent no.4 will have to take the measurement, as a report is required to be sent to the respondent no.2. Despite the direction, the same has not been done and hence, the petitioners have come forward to file this Writ Petition.

2.Considering the pendency of the request made by the petitioners, a direction is issued to the respondent no.3 to take appropriate action on the representation, after getting measurement done by the respondent no.4, if it is not done already and dispose of the same within a period of eight weeks from the date of receipt of a copy of this order. It is open to the respondent no.3 to hear any third parties, if so required. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

va
To

1.The District Collector,
Thiruvallur District.

2.The Special Tahsildar,
Adi Dravidar Welfare,
Sriperumbudur,
Chingalpattu District.

3.The Special Tahsildar,
Adi Dravidar Welfare,
Ponneri Kottam,
Thiruvallur District.

4.Kuruvatta Land Surveyor,
Thirumazhisai Kuruvattam,
Poonamallee,
Thiruvallur District.

+1 cc to Mr.K.Lavan, Advocate, sr.43766
+1 cc to The Government Pleader, sr.44192

tej(co), kra(31/08)