

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.08.2015

CORAM:

THE HON'BLE MR. JUSTICE SATISH K. AGNIHOTRI
AND
THE HON'BLE MR. JUSTICE K.K.SASIDHARAN

W.P. No.26424 of 2015 and M.P. No.1 of 2015

C. Vijayabalan

Petitioner

vs.

1 The Assistant Director
Land Survey and Records Department
Kancheepuram
Kancheepuram District

2 The Tahsildar
Taluk Office
Alandur, Chennai

3 The Revenue Inspector
Alandur
Chennai

4 Mohamed Yunus

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the second respondent to consider the petitioner's representation dated 08.06.2015 seeking to initiate proceedings under Sections 6 and 7 of the Tamil Nadu Land Encroachment Act and remove the encroachments made in the 20 feet public road in S.No.37/2B of Pozhichalur, Prem Nagar, Alandur Taluk, Chennai - 74.

For petitioner Mr. G. Arul Murugan

For RR 1-3 Mr.P.S. Sivashanmugasundaram
Special Government Pleader

ORDER

(made by SATISH K. AGNIHOTRI, J.)

Mr. P.S. Sivashanmugasundaram, learned Special Government Pleader, accepts notice for respondents 1 to 3. Notice to the fourth respondent is dispensed with, at this stage, as no consequential action shall be taken by the concerned authorities, on the petitioner's representation without notice to him. Thus, with the

consent of the learned counsel for the petitioner and the learned Special Government Pleader, the writ petition is taken up for final disposal, at the admission stage itself.

2 The petitioner, a resident of Annai Theresa Street, Prem Nagar Extension, Pozhichalur, Chennai-74, noticing encroachment on the 20 ft. public road, made a representation to the first respondent, viz., the Assistant Director, Land Survey and Records Department on 31st March 2015, to cause survey and inspection of the area and thereafter, take necessary action for removal of the encroachment made allegedly by the fourth respondent. Pursuant to the petitioner's representation, the first respondent has sent a communication to the second respondent on 8th April 2015, calling upon him to take necessary action. Thereafter, there has been no progress in the matter. Hence, the petitioner has addressed a second representation to the second respondent on 8th June 2015 reiterating the same grievance, which is still pending consideration without any action on the part of the officers. Hence, the instant writ petition for a direction to the second respondent to consider the petitioner's aforestated representation dated 8th June 2015.

3 The learned Special Government Pleader appearing for the official respondents, submits that necessary action shall be taken after proper survey and inspection and also after affording an opportunity of hearing to the fourth respondent and other encroachers, if found on inspection, within a period of six weeks from the date of receipt of a copy of this order.

4 In view of the above submission made by the learned Special Government Pleader, it is ordered accordingly.

5 The writ petition stands disposed of with the above observation. Costs made easy. Connected Miscellaneous Petition is closed.

सत्यमेव जयते

-s/d-

Assistant Registrar

True Copy

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Sub-Assistant Registrar

cad

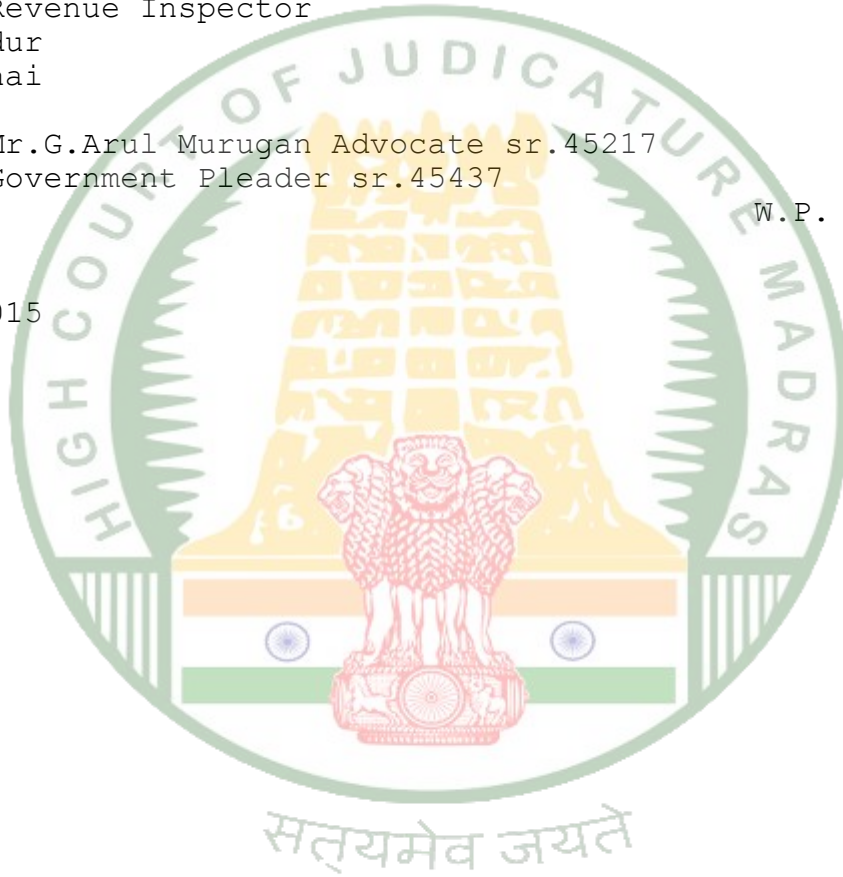
To

- 1 The Assistant Director
Land Survey and Records Department
Kancheepuram
Kancheepuram District
- 2 The Tahsildar
Taluk Office
Alandur, Chennai
- 3 The Revenue Inspector
Alandur
Chennai

+1 cc to Mr.G.Arul Murugan Advocate sr.45217
+1 cc to Government Pleader sr.45437

W.P. No.26424 of 2015

aa08/09/2015



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