

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.11.2015

CORAM:

THE HON'BLE MR. JUSTICE SATISH K. AGNIHOTRI
and
THE HON'BLE DR. JUSTICE P. DEVADASS

W.P. No.37189 of 2015

K.S. Ganeshkumar

Petitioner

Vs.

- 1 The Additional Chief Secretary/
Commissioner of Land Administration
Ezhilagam
Chepauk, Chennai 600 005
- 2 The District Collector, Salem
- 3 The District Revenue Officer, Salem
- 4 The Commissioner
Salem City Corporation
Salem
- 5 The Revenue Divisional Officer
Salem
- 6 The Tahsildar (West)
Salem

Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of mandamus directing the respondents, particularly, the second respondent, viz., the District Collector to take action on the representation dated 22.07.2015 sent by the petitioner and in accordance with the direction issued by the first respondent through his Lr.No.T2/18540/2015 dated 21.08.2015 to the District Collector, Salem, within the time frame as may be stipulated by this Court.

For petitioner
For RR 1-3, 5 & 6

For R4

Mr. D. Shivakumaran
Mr. N. Sakthivel, Govt.
Advocate
Ms. K. Bhuvaneswari

ORDER

(delivered by SATISH K. AGNIHOTRI, J.)

Mr. N. Sakthivel, learned Government Advocate, accepts notice for respondents 1 to 3, 5 and 6. Ms. K. Bhuvaneswari, learned counsel, accepts notice for the fourth respondent. With consent, the writ petition is taken up for final disposal, at the admission stage itself.

2 This writ petition is filed seeking a writ of mandamus directing the respondents, particularly, the second respondent, viz., the District Collector to take action on the petitioner's representation dated 22 July 2015 and in accordance with the direction issued by the first respondent through his Lr.No.T2/18540/2015 dated 21 August 2015 to the District Collector, Salem, within a time frame.

3 The case of the petitioner is that he has made a representation to the Tahsildar (West), Salem, on 22 July 2015, pointing out the illegal construction made by several parties, with a request to take steps to remove the said encroachments, a copy of which has been marked to the Chief Secretary, Government of Tamil Nadu, as well. While so, the Additional Chief Secretary/Commissioner of Land Administration, vide communication dated 21 August 2015 has informed the District Collector, Salem, to take suitable action pursuant to the petitioner's representation. Yet, no step has been initiated so far by the authorities concerned. Thus, this writ petition for the aforestated relief.

4 Mr. N. Sakthivel, learned Government Advocate, submits that if, on inspection, it is found that there are encroachments, as alleged by the petitioner, necessary steps will be taken to remove the same on merits and in accordance with law, within a period of four weeks.

5 In view of the above submission made by the learned Government Advocate, it is ordered accordingly.

The writ petition stands disposed of with the aforestated observation. Costs made easy.

cad

s/d-

Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

To

1 The Additional Chief Secretary/
Commissioner of Land Administration
Ezhilagam
Chepauk, Chennai 600 005

2 The District Collector, Salem

3 The District Revenue Officer, Salem

4 The Commissioner
Salem City Corporation
Salem

5 The Revenue Divisional Officer
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6 The Tahsildar (West)
Salem

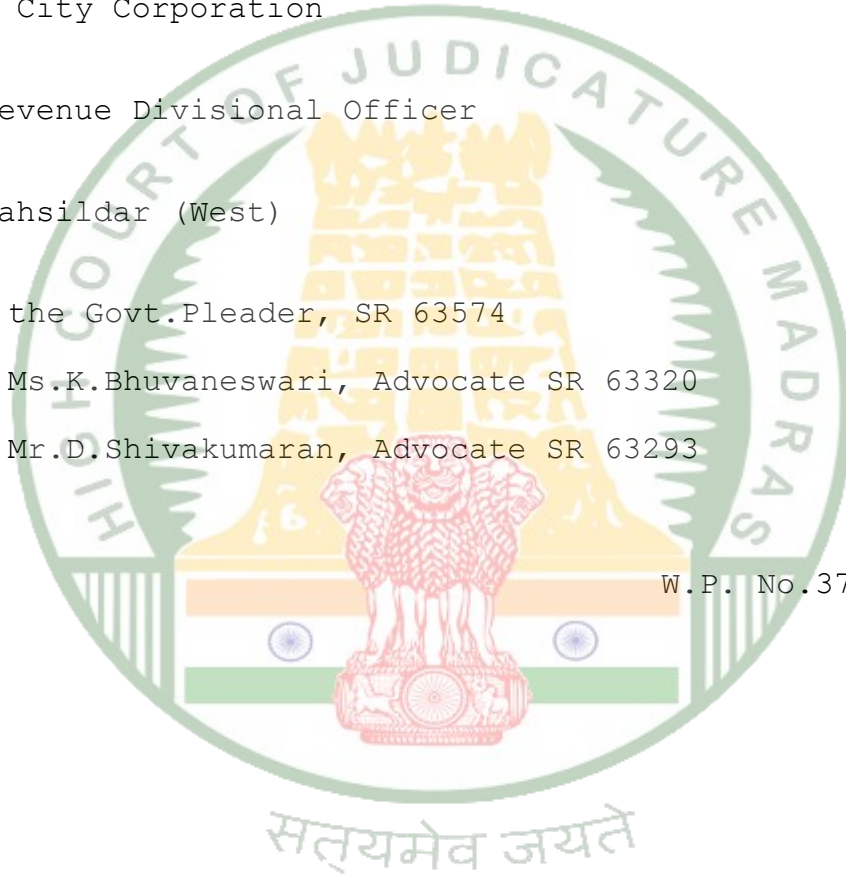
+ 1 cc to the Govt.Pleader, SR 63574

+ 1 cc to Ms.K.Bhuvaneswari, Advocate SR 63320

+ 1 cc to Mr.D.Shivakumaran, Advocate SR 63293

kk(co)
prk9/12

W.P. No.37189 of 2015



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