

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-02-2015

CORAM:

THE HONOURABLE MR. JUSTICE SATISH K. AGNIHOTRI
AND
THE HONOURABLE MR. JUSTICE M. VENUGOPAL

W.P. No.4679 of 2015

Abirami Nagar, Vaigai Nagar, Priya Nagar - 1 and
Priya Nagar - 2 Welfare Association
(Registration No.28/2007)
represented by its President S. Dasan
No.16, Moogambigai Street
Abirami Nagar
Urapakkam
Chennai 603 210
Petitioner

Vs.

- 1 The District Collector
Kancheepuram District
Kancheepuram
- 2 The Revenue Divisional Officer
Chengalpattu
Kancheepuram District
- 3 The Block Development Officer
Kattankulathur
Kancheepuram District
- 4 The President
Urapakkam Grade I Panchayat
Urapakkam 603 210
Kancheepuram District
- 5 The Tahsildar
Chengalpattu Taluk
Kancheepuram District

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus, directing the first respondent to consider the representation of the petitioner dated 14.11.2014 and consequently, pass appropriate order for evicting the encroachment made in the land allocated for the public park of the petitioner

association in the approved layout vide No.LP/DTCP/No.354/88 vide Letter No.22320/88/LA in Survey Nos.86/2, 93/2, 94/2B, 94/2A2, 93/3, Priya Nagar-1, Urappakkam Village, Kancheepuram District and vide approved layout vide No.LP/500/DTCP/89 in Survey No.76/4C1 of Priya Nagar-2 in Urappakkam Village, Kancheepuram District.

For petitioner Mr. M. Vijayakumar

For respondents Mr. P.S. Sivashanmugasundaram
Special Government Pleader

ORDER

(Order of the Court was made by SATISH K. AGNIHOTRI, J.)

Mr. P.S. Sivashanmugasundaram, learned Special Government Pleader, takes notice for the respondents. With the consent of the learned counsel on either side, the writ petition is taken up for final disposal, at the admission stage itself.

2 The only limited relief sought by the learned counsel for the petitioner is a direction to the respondents 1, 2 and 5 to consider the petitioner's representations dated 14.11.2014, 14.11.2014 and 15.11.2014 respectively and consequently, pass appropriate orders for evicting the encroachment made in the land allocated for the public park of the petitioner association in the approved layout vide No.LP/DTCP/No.354/88 vide Letter No.22320/88/LA in Survey Nos.86/2, 93/2, 94/2B, 94/2A2, 93/3, Priya Nagar-1, Urappakkam Village, Kancheepuram District and vide approved layout vide No.LP/500/DTCP/89 in Survey No.76/4C1 of Priya Nagar-2 in Urappakkam Village, Kancheepuram District.

3 Considering the limited scope of the relief sought by the learned counsel for the petitioner, we direct the respondents 1, 2 and 5 to consider and pass orders on the petitioner's representations dated 14.11.2014, 14.11.2014 and 15.11.2014 respectively, in accordance with law and on their own merits and take action for removal of encroachment, if, on enquiry, it is found that there is an encroachment, as claimed by the petitioner. Needless to state that while doing so, an opportunity of hearing should be given to the alleged encroachers. The entire exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

4 The writ petition stands disposed of with the above direction and observation. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

cad

To

- 1 The District Collector
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Chengalpattu
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Kancheepuram District

1 cc to Mr.M. Vijayakumar ,Advocate, SR.No.10247
1 cc to Government Pleader,Sr.No10349

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