

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25-03-2015

CORAM

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

WRIT PETITION No.7369 of 2015

K. Mani

.. Petitioner

vs

- 1 The Chairman
Tamilnadu Housing Board, 493 Anna Salai,
Nandanam, Chennai-35.
- 2 The Executive Engineer
Special Project Division,
Tamilnadu Housing Board,
Ashok Nagar Shopping Coplex,
Ashok Nagar, Chennai-83.
- 3 The District Collector,
Tiruvallur District , Tiruvallur.
- 4 The Tahsildhar,
Tiruthani, Tiruvallur District.
- 5 N.Govindaraj
S/o.Natesan, V.V.S.Kalyanam Mandapam ,
Arakkonam Road , Tirutani,
Thiruvallur District.
- 6 Subramania Reddy
S/o.Muruga Reddy ,Brahmin Street,
Agoor Village and Post, Thiruthani Taluk ,
Thiruvallur District.

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents No.1 to 4 to remove the Encroachment in the common area owned by the petitioners Association namely Subramaniapuram Residence Welfare Association having office at No.36', S.S.Puram Arackonam Road, Tiruthani, Tiruvallur District-631 209 in S.No.270/12 Thiruthani Village and Taluk, Thiruvallur, within the stipulated time prescribed by this Honourable Court pursuant to the representation dated 26.02.2015 given by the petitioner.

For Petitioner

: Mr. E. Iyappan

For Respondents

: Mr. C. Kasirajan - R1& R2

Mr. N. Sakthivel

Govt. Advocate - R3 & R4

ORDER

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

The only limited relief sought for in this petition is a direction to respondents 1 to 4 to consider the representation dated 26.2.2015 whereunder, it is alleged that the respondents 5 and 6 have made encroachment in the land belonging to the Government/Tamil Nadu Housing Board, causing inconvenience to the petitioner as well as other similarly situated residents.

2 Mr. C. Kasirajan, learned counsel appearing for the respondents 1 and 2 and Mr. N. Sakthivel, learned Government Advocate, appearing for the respondents 3 and 4 submitted that the petitioner's representation dated 26.2.2015 will be considered in accordance with law and on its own merits.

3 Needless to state that at this stage, it is not necessary to issue notice to respondents 5 and 6 as no order causing prejudice to them is being passed by us. However, we make it clear that the authorities concerned shall consider the petitioner's representation dated 26.2.2015 and pass appropriate orders, after affording proper opportunity to all the alleged encroachers, including the respondents 5 and 6 and take consequential action, within a period of four weeks from the date of receipt of a copy of this order.

4 This writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

- 1 The Chairman
Tamilnadu Housing Board, 493 Anna Salai,
Nandanam, Chennai-35.
- 2 The Executive Engineer
Special Project Division,
Tamilnadu Housing Board,
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Ashok Nagar, Chennai-83.
- 3 The District Collector,
Tiruvallur District , Tiruvallur.
- 4 The Tahsildhar,
Tiruthani, Tiruvallur District.

- + 1 cc to Mr.T. Muruganantham, Advocate SR.16899
- + 1 cc to Mr.C.Kasirajan, Advocate SR.16808
- + 1 cc Government Pleader Sr.17024

KGK (CO)

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EU 08.04.2015

W.P.No.7369 of 2015