

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Date: 22-04-2015

CORAM

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

W.P.No.8003 of 2015
and
M.P.No.1 of 2015

P.Devan
S/o.Poongavanam Dr.Ambedkar Nagar
Pullarambakkam Village and Post
Tiruvallur Taluk.

...Petitioner

Vs

- 1 The Collector of Tiruvallur
Tiruvallur District.
- 2 The Chief Engineer
Public Works Department Tiruvallur District.
- 3 P.Aruldoss
S/o.Poongavanam Shaw Nagar Mosur Road
Arakonam Taluk
Vellore District.

...Respondents

Petition under Article 226 of the Constitution of India praying for a writ of mandamus directing the first respondent to consider the petitioner representation dated 12.01.2015 for conducting enquiry against the third respondent in respect of the said lands in an extent of 10.00 acres of Poromboke land comprised in Survey No.106 at Vedanginallur, Siruvanoor Village, Tiruvallur District.

For petitioner : Mr. R. Karunakaran
For respondents : Mr. N. Sakthivel, GA for RR1 & 2
Mr. M. Lalbagadur for R3

ORDER

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

The only relief sought in this petition is for a direction to the first respondent to consider the petitioner's representation dated 12-01-2015 for conducting enquiry against the third respondent

in respect of certain encroachment in an extent of 10.00 acres of Poramboke land comprised in Survey No.106 at Vedanginallur, Siruvanoor Village, Tiruvallur District.

2. Mr. M. Lalbagadur, learned counsel, appears for the third respondent and submits that the third respondent has the protection from the Civil Court.

3. Be that as it may, since the only relief sought is consideration of the representation, we direct the first respondent to consider the petitioner's representation dated 12-01-2015, after affording an opportunity of hearing to all the concerned parties on merit and take decision in accordance with law, if the encroachment is found and if there is no protection under any judicial proceedings, the authorities are at liberty to take enforcement action as per law.

4. The writ petition is disposed of, accordingly. No costs. The connected miscellaneous petition is closed.

Sd/-
Deputy Registrar (J)

//True Copy//

Sub Assistant Registrar

glp

To

1 The Collector of Tiruvallur
Tiruvallur District.

2 The Chief Engineer
Public Works Department
Tiruvallur District.

1 CC to Mr. M. Lalbagadur, Advocate SR.No. 21863

1 CC to Mr. R. Karunakaran, Advocate SR.No. 21920

1 CC to the Government Pleader, SR.No. 21957

W.P.No.8003 of 2015

AD (CO)
PSI (18.05.2015)