

In the High Court of Judicature at Madras

Dated: 13.10.2015

Coram:

The Honourable Mr.SANJAY KISHAN KAUL, Chief Justice

and

The Honourable Mr. Justice T.S.SIVAGNANAM

Writ Petition No. 49213 of 2006

and M.P. No. 1 of 2006

Kesavan

... Petitioner

vs.

1. The District Collector
Kancheepuram District
Kancheepuram.

2. The Revenue Divisional Officer
Kancheepuram District
Kancheepuram.

3. The Tahsildar
Kancheepuram Taluk
Kancheepuram.

4. The Zonal Deputy Tahsildar
Kancheepuram Taluk
Kancheepuram.

5. Reghupathy
Zonal Deputy Tahsildar
Kancheepuram Taluk
Kancheepuram.

6. N. Sivalingam

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue Writs of Mandamus, directing respondents 3 to 6 to remove the encroachment made by the sixth respondent in Vippeedu Canal running from river Palar to Venkatapuram Lake as per the order of the Revenue Divisional Officer, Kancheepuram in Na.Ka.A2/J32/2006 dated 06.02.2006 and Na.Ka.532/2006/A2 dated 07.07.2006.

For Petitioner : Mr. S. Shanmugakani

For Respondents : Mr. S.T.S. Murthi, Govt. Pleader
assisted by Mr. V.R. Kamalanathan
Addl. Govt. Pleader and
Mr. V. Shanmughasundar
Government Advocate for R1 to R4.

O R D E R

(Made by The Hon'ble The Chief Justice)

The prayer made in this petition, which was filed nine years ago, is for directions to respondents 3 to 6 to remove the encroachments made by the sixth respondent in Vippeedu Canal running from river Palar to Venkatapuram Lake as per the order of the Revenue Divisional Officer, Kancheepuram in Na.Ka.A2/J32/2006 dated 06.02.2006 and Na.Ka. 532/2006/A2 dated 07.07.2006.

2. The petitioner claims that the passage to his land is being prohibited by the sixth respondent denying access. The direction sought to that effect is really a matter of private dispute, for which the petitioner should approach the revenue authorities.

3. As far as the issue of encroachments is concerned, the petitioner claims that it is a case of non-compliance of orders already passed.

4. In view of the passage of time, a fresh look is required of the matter by carrying out an inspection at the site to verify the current position and to take necessary action in accordance with law, if any encroachments are found, after notice to all concerned, within a maximum period of one month from the receipt of the order.

5. The writ petition is accordingly disposed of. No costs. Consequently, M.P. No. 1 of 2006 is closed.
ATR

Sd/-

Assistant Registrar (CS)

/True Copy/

Sub-Assistant Registrar

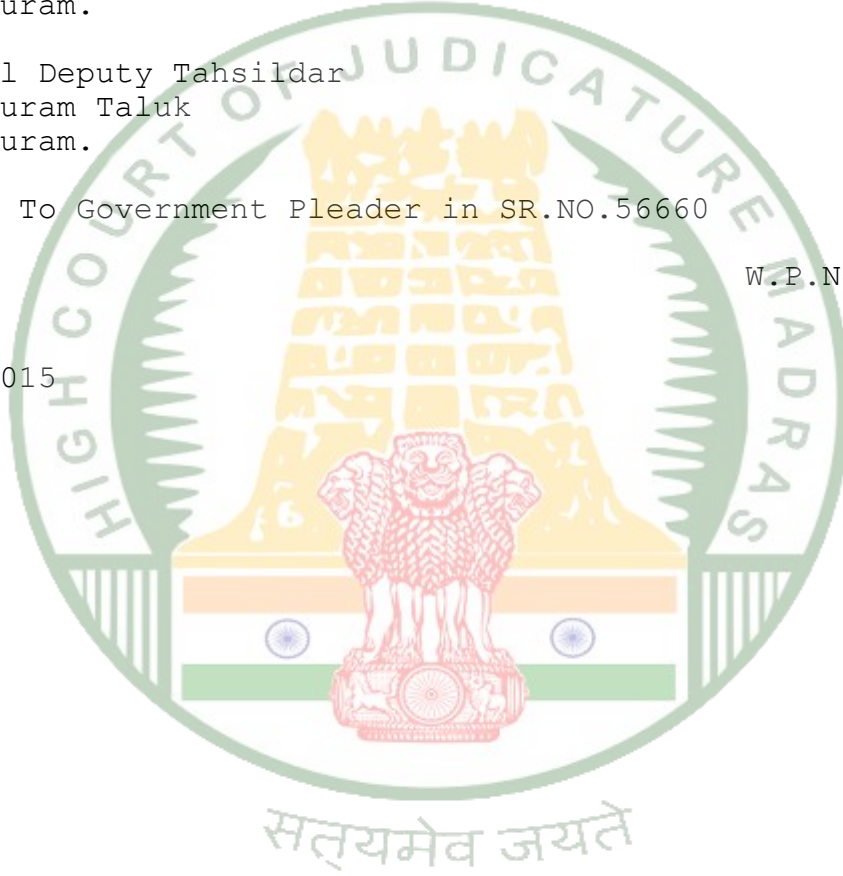
Copies to;

1. The District Collector
Kancheepuram District
Kancheepuram.
2. The Revenue Divisional Officer
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Kancheepuram.
3. The Tahsildar
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Kancheepuram.
4. The Zonal Deputy Tahsildar
Kancheepuram Taluk
Kancheepuram.

+1 C.C. To Government Pleader in SR.NO.56660

W.P.No.49213 of 2006

NM(CO)
sd : 20/10/2015



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