

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.03.2016

CORAM:

THE HON'BLE MR. JUSTICE SATISH K. AGNIHOTRI
and
THE HON'BLE MR. JUSTICE M. VENUGOPAL

W.P. No.10837 of 2016

R. Lalitha

... Petitioner

Vs.

1. The District Collector
Tiruvallur District
Tiruvallur 602 001

2. The Revenue Divisional Officer/Sub Collector
Tiruvallur District
Tiruvallur 602 001

3. The Tahsildar
Tiruvallur District
Tiruvallur 602 001

4. Thumbakali

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus directing the respondents 1 to 3 to consider the petitioner's representation dated 14.11.2015 in accordance with law, within the time stipulated by this Court, and to remove the encroachment including the superstructure made by the fourth respondent in the Vandi Pathai Porampokku in Alathur road situated at Pakkam Village, Thiruvallur Taluk and District and proceedings of the second respondent vide reference no.NA.KA. 3203/2015/A2 dated 04.12.2015.

For petitioner : Mr. K. Balaji

For RR 1-3 : Mrs. A. Srijayanthi
Special Government Pleader

ORDER

(delivered by SATISH K. AGNIHOTRI, J.)

Mrs. A. Srijayanthi, learned Special Government Pleader, accepts notice for respondents 1 to 3. Notice to the fourth respondent is dispensed with at this stage, since no order prejudicial to his interest is passed in this writ petition. Thus, with the consent of the learned counsel for the petitioner and the learned Special Government Pleader appearing for the official respondents, this 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 1 to 3 to consider the petitioner's representation dated 14 November 2015 in accordance with law and to remove the encroachment, including the superstructure made by the fourth respondent in the Vandi Pathai (cart track) poramboke in Alathur Road situated at Pakkam Village, Thiruvallur Taluk and District.

3. The petitioner's case before us is that taking note of her representation dated 06 November 2015, the Sub-Collector, Thiruvallur, had directed the Tahsildar, Thiruvallur, vide communication dated 04 December 2015 to inspect the property in question in Survey No.42/1B, Pakkam Village, Thiruvallur Taluk and District and take necessary steps for removal of the encroachment, if any, within a period of 60 days. The said time limit of 60 days had come to an end in February 2016. However, till date, no action has been taken.

4. The learned Special Government Pleader appearing for the official respondents submits that pursuant to the aforesaid communication, if no action has been taken to remove the encroachment, spot inspection will be made within a period of two weeks and after giving notice to the alleged encroachers, appropriate steps for removal of the encroachment shall be taken within a period of four weeks.

5. In view of the above submission of the learned Special Government Pleader, it is ordered accordingly. The official respondents are directed to submit a compliance report after six weeks. Post the matter on 02 June 2016 for reporting compliance.

The writ petition stands disposed of with the above observation and direction. Costs made easy.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

cad

To

1. The District Collector
Tiruvallur District
Tiruvallur 602 001
2. The Revenue Divisional Officer/Sub Collector
Tiruvallur District
Tiruvallur 602 001
3. The Tahsildar
Tiruvallur District
Tiruvallur 602 001.
4. The Section Officer,
Writ (Posting),
High Court, Madras.
(For Posting the W.P on
02.06.2016 under the Caption
for Reporting Compliance)

सत्यमेव जयते

W.P. No.10837 of 2016

KGK (CO)
CA (06/04/2016)

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