

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.04.2016

CORAM:

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

W.P.No.12490 of 2016

A. Elumalai

... Petitioner

Vs

1. The District Collector,
Tiruvannamalai District,
Tiruvannamalai.
2. The Tahsildar,
Arni Taluk,
Thiruvannamalai District.
3. The Executive Engineer,
Public Works Department (WRO),
Tiruvannamalai.
4. The Village Administrative Officer,
S.V.Nagaram Village,
Tiruvannamalai District.
5. The Divisional Engineer,
National Highways, Tiruvannamalai.
6. Mr.V.Kanniappan
7. Mr K.Gunasekaran

... Respondents

Writ petition filed under Article 226 of the Constitution seeking for the issuance of a writ of mandamus directing the respondents 1 to 5 herein to consider the representation dated 01.03.2016 by removing the encroachments of the 6th & 7th respondents in S.No. 234/4 and 237 of Channel Poromboke, S.V. Nagaram Village, Arni Taluk, Tiruvannamalai District.

For Petitioner : Mr. S.P. Sudalaiyandi

For Respondents : Mr. P.S.Sivashanmugasundaram
Special Government Pleader R1 to R4

ORDER

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

Mr. P.S.Sivashanmugasundaram, learned Special Government Pleader, accepts notice for the respondents 1 to 4. Notice to respondents 5 and 6 is dispensed with at this stage, inasmuch as no adverse order is passed against them in this writ petition. Thus, with the consent of the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents 1 to 4, the writ petition is taken up for final disposal, at the admission stage itself.

2. By this petition, the petitioner seeks a direction to the respondents 1 to 5 herein to consider his representation dated 01.03.2016 and remove the encroachments made by the 6th & 7th respondents in S.No. 234/4 and 237 of Channel Poromboke, S.V. Nagaram Village, Arni Taluk, Tiruvannamalai District.

3. Learned Special Government Pleader appearing for the respondents 1 to 4 submits that spot inspection in respect of the area in question will be conducted and thereafter, necessary action for removal of the encroachment, if any, will be taken in accordance with law and on its own merits, expeditiously.

4. Considering the limited relief sought by the petitioner and the submission made by the learned Special Government Pleader appearing for the respondents 1 to 4, without going into the merits of the case, we direct the respondents 1 to 4 to conduct spot inspection in respect of the area in question and take consequential action, on merits and in accordance with law, after affording proper opportunity of hearing to all the parties concerned, including the alleged encroachers viz., respondents 6 and 7. Such exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order.

5. With the above direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(AS)

//True Copy//

Sub Assistant Registrar

ra.

To

1. The District Collector,
Tiruvannamalai District,
Tiruvannamalai.
2. The Tahsildar,
Arni Taluk,
Thiruvannamalai District.
3. The Executive Engineer,
Public Works Department (WRO),
Tiruvannamalai.
4. The Village Administrative Officer,
S.V.Nagaram Village,
Tiruvannamalai District.
5. The Divisional Engineer,
National Highways,
Tiruvannamalai.

+1cc to Mr.S.P.Sudalaiyandi, Advocate, S.R.No.21197

W.P. No.12490 of 2016

KJI (CO)
CA(21/04/2016)



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