

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.04.2016

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE M.M.SUNDRESH

W.P. No.13263 of 2016

R.Ponkumar

.. Petitioner

-vs-

1. The Secretary to Govt. of Tamil Nadu,
Local Administration and Rural Dept.,
Secretariat, Chennai.
2. The Commissioner,
Metropolitan Corporation of Chennai,
Chennai.
3. The District Collector,
Kancheepuram District,
Kancheepuram.
4. M.C.Munusamy

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct respondents 1 to 3 to evict the 4th respondent from illegal possession in Survey No.95 at Neelangarai Kuppam to an extent of 72 sq. ft. and hand over the vacant lands to the 2nd respondent for public purpose by considering the petitioner's representation dated 02.06.2015 and reminder dated 07.07.2015 and 30.03.2016.

For Petitioner : Mr.D.Baskar

For Respondents : Mr.S.T.S.Murthi,
Govt. Pleader, assisted by
Mr.V.Shanmugasundar, G.A.
For RR 1 & 3
: Mr.K.Soundararajan for R-2

* * * * *

O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

The allegation of the petitioner is that on demolition of the Radio/TV room by the second respondent / Corporation, the private respondent no.4, holding the post of Councillor in Ward No.192 and Chairman of Zone No.15 of the second respondent, has encroached upon the area and constructed a car shed for his personal use. The total land measures an extent of 72 sq.ft. in S.No.195, Ward No.192. The petitioner claims to have sent a representation to the first two respondents on 02.06.2015, but to no avail. Reminders were also sent on 07.07.2015 and 30.03.2016.

2.We call upon the second respondent to cause an inspection to be carried out of the area and if any encroachment is found, action in accordance with law be taken forthwith. We may indicate that it is not a question of displacement of any voter and thus, there is no impediment in view of the State elections.

3.The aforesaid exercise be completed within a maximum period of one (1) month of the receipt of this order, after notice to all concerned.

4.Writ Petition, accordingly, stands disposed of. No costs.
sra

s/d-
Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

To

1. The Secretary to Govt. of Tamil Nadu,
Local Administration and Rural Dept.,
Secretariat, Chennai.
2. The Commissioner,
Metropolitan Corporation of Chennai,
Chennai.
3. The District Collector,
Kancheepuram District,
Kancheepuram.

+ 1 cc to Mr.D.Baskar, Advocate SR 23013

+ 1 cc to Govt.Pleader SR 22893
ad(co)
prk13/4

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