

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 26.10.2016

CORAM:

THE HON'BLE MR.JUSTICE M.S.RAMESH

W.P.No.869 of 2013  
and M.P.No.1 of 2013

Gowri Raj

.. Petitioner

Vs

- 1.The Revenue Divisional Officer,  
Chengalpattu Taluk,  
Chengalpattu, Kancheepuram District.
- 2.The Tahsildar,  
Chengalpattu Taluk,  
Chengalpattu, Kancheepuram District. .. Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus forbearing the respondents, their men, agent, servants and persons claiming through them from evicting and/or disturbing the possession of the petitioner from his property consisting of superstructure and land comprised in survey No.48 at no.54, Potheri Village, Thailavaram, Chengalpattu, Kancheepuram District.

For Petitioner : Mr.Dr.C.Ravichandran

For Respondents : Mr.V.S.Ramesh  
Government Advocate.

O R D E R

The petitioner claims to be in possession of 15 acres of land comprised in S.No.48 at No.54, Potheri Village, Thailavaram, Chengalpattu, Kancheepuram which, according to him, is classified as Gramanatham. The petitioner has made a representation to the respondent on 11.01.2013, calling upon him not to interfere with his possession.

2. Mr.V.S.Ramesh, learned Government Advocate would submit that the land comprised in S.No.48, has been classified as water bodies and hence, the petitioner is not entitled to any rights over the same.

3. It is needless to point out that whatever may be the views of the respondent about the petitioner's right over the property, it is open to the respondent to express the same by way of a reply to the representation made by the petitioner.

4. At this juncture, the learned Government Advocate would submit that if a direction is given to the respondent to consider the representation, it will be complied with, within the time stipulated.

5. Under such circumstances, there shall be a direction to the second respondent to consider the representation dated 11.01.2013 given by the petitioner on its own merits and pass appropriate orders in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

6. It is made clear that I have not expressed any of my views with regard to the petitioner's entitlement over his right of possession of the property.

7. With the above observations, this writ petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

kkd

To

1.The Revenue Divisional Officer,  
Chengalpattu Taluk,  
Chengalpattu, Kancheepuram District.

2.The Tahsildar,  
Chengalpattu Taluk,  
Chengalpattu, Kancheepuram District.

1 cc to Mr.C. Ravichandran, Advocate, sr. 61414

1 cc to Government Pleader, Sr. 61726

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NR (CO)  
kk 28/11