

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.06.2016

CORAM :

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

AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P. No.11877 of 2013

T.M.Suresh

.. Petitioner

-vs-

- 1.The Secretary,
Dept. of Land Administration,
Chepauk, Chennai.
- 2.The District Collector,
Cuddalore District,
Cuddalore.
- 3.The Revenue Divisional Officer,
Virudhachalam Taluk,
Cuddalore District.
- 4.The Tahsildhar (Revenue)
Virudhachalam Taluk,
Cuddalore District.
- 5.The Revenue Inspector,
Veppur Village,
Virudhachalam Taluk,
Cuddalore District.
- 6.The Village Administrative Officer,
Kothanur, Kandapankurichy,
Veppur Via, Virudhachalam Taluk,
Cuddalore District.
- 7.The President
Panchayat Board,
Thiruppaiyar Village,
N.Naraiyur Post, Veppur Via,
Virudhachalam Taluk,
Cuddalore District - 606 304.

8.Jeyapriya Property Developers
Neyveli-2.

9.The Member Secretary,
Cuddalore Local Planning Authority,
6/4, Srinivasapillai Street,
Pudupalayam, Cuddalore 607 001.
(R-9 impleaded as per order dt.
20.06.2016 in WP)

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct respondents 1 to 7 to initiate action, to enquire into the matter, against the Eighth respondent and to furnish a detailed report to the Court.

For Petitioner : Mr.S.N.Amarnath
For Respondent : Mr.S.T.S.Murthi,
Govt. Pleader for RR 1 to 6 and 9
: Mr.S.Senthilnathan for R-8
: Mr.Mahendra Banchali for R-7

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O R D E R

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

The petitioner claims that the eighth respondent has encroached on a Government land and is making layout for sale of plots.

2.On the other hand, the stand of the Government and the eighth respondent is that they are in occupation of patta land, though it is accepted that no permission for lay out has been obtained from the Local Planning Authority.

3.The Local Planning Authority represented by its Member Secretary is impleaded as the ninth respondent in this petition. Memo of parties be amended accordingly.

4.The third respondent to carry out inspection of the site and verify that the eighth respondent is only in occupation of his own patta land. This exercise be undertaken within one (1) month of the date of receipt of the order with notice to the eighth respondent.

5.The second limb of our direction is that the so-called unapproved layout cannot be dealt with by the eighth respondent in any manner whatsoever till such time as it obtains an approval for the layout from the newly impleaded ninth respondent.

6.Writ petition, accordingly, stands disposed of. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

sra
To

- 1.The Secretary,
Dept. of Land Administration,
Chepauk, Chennai.
- 2.The District Collector,
Cuddalore District,
Cuddalore.
- 3.The Revenue Divisional Officer,
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8.The Member Secretary,
Cuddalore Local Planning Authority,
6/4, Srinivasapillai Street,
Pudupalayam, Cuddalore 607 001.

+1 cc to Government Pleader sr.33928

+1 cc to Mr.S.Senthilnathan Advocate sr.33952

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msm(co)
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