

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:21.07.2016

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

W.P.No.25389 of 2016

A.Govindaraj

..Petitioner

-vs-

1. The District Collector
Thiruvallur District
2. The Sub-Collector
Thiruvallur District
3. The Tahsildar
Thiruvallur Taluk
Thiruvallur District
4. Vivekanandham Educational Society
represented by its Secretary
H-Block, Krishna Apartments
No.1053, Poonamallee High Road
Chennai-84

..Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the first respondent to consider the petitioner's representation dated 06.05.2016 to remove the encroachment made by the fourth respondent in government 'purambokku' lands in survey No.1/1 to the extent of 66 cents, 1/2 to the extent of 76 cents, 2/6 to the extent of 22 cents and in S.No.3/1 to the extent of 48 cents, totalling 2.12 acres.

For Petitioner ::Mr.S.Saravanan

For Respondents::Mr.P.S.Sivashanmugasundaram
Special Government Pleader for
R1 to R3

ORDER

(Order of the Court was delivered by HULUVADI G.RAMESH, J.)

The prayer in this writ petition is for issuance of a writ of mandamus, directing the first respondent to consider the

petitioner's representation dated 06.05.2016 to remove the encroachment made by the fourth respondent in government 'purambokku' lands in survey No.1/1 to the extent of 66 cents, 1/2 to the extent of 76 cents, 2/6 to the extent of 22 cents and in S.No.3/1 to the extent of 48 cents, totalling 2.12 acres.

2. Heard the learned counsel for the petitioner and the learned Special Government Pleader taking notice on behalf of the respondents 1 to 3.

3. The petitioner claims to be a resident of Sivanvoil village in Thiruvallur Taluk. According to him, the fourth respondent-Society has encroached the public canal waterways in the survey numbers in question in Puliur village, Thiruvallur Taluk and put up construction. In this regard, the petitioner has submitted several representations to the authorities and lastly on 6.5.2016 to the first respondent seeking for necessary action. Now the grievance of the petitioner is that before conducting the inspection, a decision has been taken.

4. We make it clear that it is for the respondent authority to do the needful in furtherance of the proceedings initiated to remove the encroachment and to take a decision in accordance with law, after hearing the affected parties as well as the petitioner, within a period of two months from the date of receipt of a copy of this order. Accordingly, the writ petition stands disposed of. No costs.

ss

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The District Collector
Thiruvallur District

2. The Sub-Collector
Thiruvallur District

3. The Tahsildar
Thiruvallur Taluk
Thiruvallur District

+1cc to Mr.S.Saravanan, Advocate S.R.No.41191
+1cc to the Government Pleader, S.R.No.41565

KR/4/8/16

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