

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2016

CORAM :

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

The Hon'ble MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P. No.2695 of 2016
and

W.M.P.No.2249 of 2016

A.Ramalingam

... Petitioner

-Vs-

1. District Collector,
Collector Office,
Kancheepuram Kancheepuram District.
2. The Revenue Divisional Officer (R.D.O.),
Chengalpattu, Kancheepuram District.
3. The Tahsildar,
Thirukazhukundram Taluk,
Kancheepuram District.
4. Executive Officer,
Mahabalipuram Special Grade Town
Panchayat, Mahabalipuram,
Thirukazhukundram Taluk,
Kancheepuram District.

... 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 take appropriate action forbearing the 4th respondent in proceeding with the unauthorised and illegal construction in the pond and further direct the 3rd respondent to restore the pond by removing the illegal and unauthorized construction made by the 4th respondent in the pond.

For Petitioner : Mr.R.Rajesh Vivekananthan

For Respondents : Mr.V.R.Kamalanathan,
Additional Government Pleader

O R D E R

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

The petitioner alleges that the land in question is a tank, where a cemetery is sought to be constructed and that too, without any permission from the revenue department. The revenue records have been filed.

2.It is trite to say that even the revenue department cannot convert a tank into any other use and thus, there is no question of grant of any permission. The pre-requisite, of course, is that it should be a tank.

3.We direct the fourth respondent to look into the matter to ensure that no conversion of any tank takes place and an appropriate order be passed within a maximum period of one (1) month from the date of receipt of this order, after notice to all concerned and the final order be intimated to the petitioner.

4.Writ Petition, accordingly, stands disposed of. No costs. Consequently, W.M.P.No.2249 of 2016 stands closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

sra

To

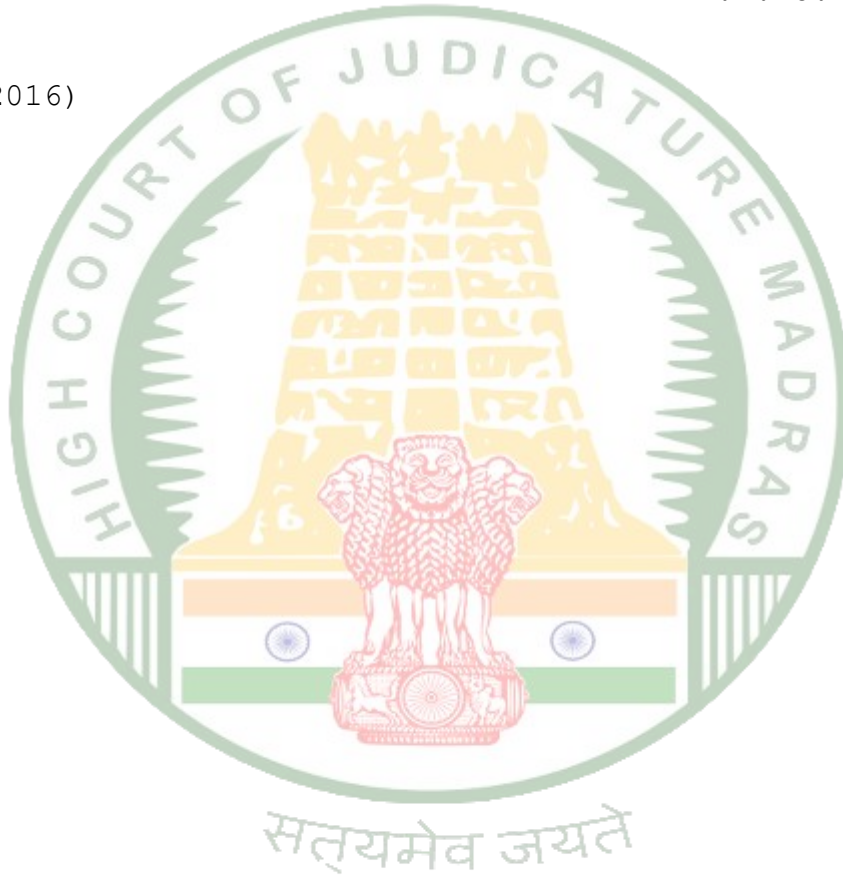
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Kancheepuram District.

+1cc to Mr.R.Rajesh Vivekananthan, Advocate, S.R.No.4606
+1cc to the Government Pleader, S.R.No.5125

W.P.No.2695 of 2016

RV (CO)
CA(12/02/2016)



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