

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.02.2016

CORAM:

THE HON'BLE MR. JUSTICE SATISH K. AGNIHOTRI  
and  
THE HON'BLE MR. JUSTICE M. VENUGOPAL

W.P. No.3696 of 2016

R. Venkatesan

Petitioner

Vs.

1 The District Collector  
Kancheepuram District

2 The Revenue Divisional Officer  
Office of the RDO  
Chengelpet  
Kancheepuram District

3 The Tahsildar  
Thiruporur

4 The Divisional Engineer  
State Highways  
Government of Tamil Nadu  
Chengelpet

5 S. Rajalingam

6 Sundaralingam

7 Arasu

8 Uma

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents 1 to 4 to conduct an enquiry and remove the encroachment on the Government land in front of the petitioner's land comprised in Survey No.17/1A situated at Kalavakkam Village, Thiruporur Taluk, Kancheepuram District made by the respondents 5 to 8 in view of G.O. (Ms.) No.540, Revenue [LD6(2)] Department dated 04.12.2014 in accordance with law.

For petitioner Mr. P. Balamurugan  
for Mr. S. Arivazhagan

For RR 1- 4 Mr. P.S. Sivashanmugasundaram  
Special Government Pleader

ORDER

(delivered by SATISH K. AGNIHOTRI, J.)

Mr. P.S. Sivashanmugasundaram, learned Special Government Pleader, accepts notice for respondents 1 to 4. Notice to respondents 5 to 8 is dispensed with at this stage, inasmuch as no order prejudicial to their interest is passed in this writ petition. Thus, with the consent of the learned counsel for the petitioner and the learned Special Government Pleader appearing for respondents 1 to 4, this writ petition is taken up for final disposal, at the admission stage itself.

2 This writ petition is filed seeking a writ of mandamus directing the respondents 1 to 4 to conduct an enquiry and remove the alleged encroachment on the Government land in front of the petitioner's land comprised in Survey No.17/1A situated at Kalavakkam Village, Thiruporur Taluk, Kancheepuram District, made by the respondents 5 to 8 in view of G.O. (Ms.) No.540, Revenue [LD6(2)] Department dated 04 December 2014, in accordance with law.

3 The petitioner's grievance is that notwithstanding the fact that he made a representation on 12 June 2014 to the third respondent, viz., the Tahsildar, Thiruporur Taluk, pointing out the alleged unauthorised and illegal construction made by the private respondents on the Government land in front of his land in S.No.17/1A, Kalavakkam Village, Thiruporur Taluk, Kancheepuram District, no action has been initiated by the third respondent till date.

4 On a perusal of the materials available before us, it is noticed that the State Government, by G.O. (Ms.) No.540, Revenue [LD6(2)] Department dated 04 December 2014, pursuant to the direction issued by this Court in the order dated 08 October 2014 rendered in W.P. No.26722 of 2013, had constituted committees at Taluk level, Division level and District level. There is a mechanism for redressal of such grievances by making an appeal in the event, the Tahsildar fails to take action within 60 days.

5 In such view of the matter, we are not disposed to entertain this writ petition. Accordingly, this writ petition is dismissed as not maintainable. If the petitioner is aggrieved by the non-action or wrong action by the Tahsildar, he is at

liberty to approach the appeal committee at the Division Level,  
forthwith, seeking remedy, as aforesated. Costs made easy.

Sd/-  
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

cad

To

- 1 The District Collector  
Kancheepuram District
- 2 The Revenue Divisional Officer  
Office of the RDO  
Chengelpet  
Kancheepuram District
- 3 The Tahsildar  
Thiruporur
- 4 The Divisional Engineer  
State Highways  
Government of Tamil Nadu  
Chengelpet

+1cc to Mr.S. Arivazhagan, Advocate, S.R.No.

+1cc to the Government Pleader, S.R.No.6944

SK(CO)  
EU(10/02/2016)

सत्यमेव जयते

WEB COPY

W.P. No.3696 of 2016