

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 3.11.2016

CORAM

The HON'BLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The HON'BLE MR.JUSTICE R.MAHADEVAN

W.P.No.38259 of 2016

Cynthia Alexander ... Petitioner

Vs.

1. The District Collector
Kancheepuram District
Kancheepuram.
2. The Tahsildar
Pallavaram Taluk
Kancheepuram District.
3. The Block Development Officer
Padappai Panchayat Union
Padappai, Kancheepuram District.
4. The Inspector of Police
Kundrathur Police Station
Kundrathur.

5. Beer Mohamed .. Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of Mandamus directing respondents 2 and 3 to consider the representation dated 13.10.2016 requesting them to take action against unauthorized concrete pillars and superstructures put up by the fifth respondent in Survey Nos.620 (part) and 621 (part) and thereby blocking the access to the petitioner's property and allow free access and usage of the 30 feet and 24 feet approach roads.

For Petitioner : Mr.R.Chandrasudan
For Respondents : Mr.M.K.Subramanian
Government Pleader
for respondents 1, 2 and 4

Mr.R.Vijayakumar
Addl. Government Pleader
for 3rd respondent

ORDER

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

The grievance of the petitioner emanates from the unauthorized layout where the petitioner has constructed a house and someone else while seeking to construct the house has blocked some portion of the land which was used as a pathway.

2. We may observe that there is no legality to any of the party's entitlement as it is an unauthorized layout and, thus, really speaking, we cannot direct the authorities to take any action in respect of the blockage, since there is no designated pathway or for that matter approved plan. However, no construction can be made without there being an approved layout and sanction of the plans and to that extent, the second respondent/Tahsildar may ensure that there is no construction without sanction.

The petition, accordingly, stands disposed of. No costs. Consequently, W.M.P.No.32803 of 2016 is closed.

Sd/-

Assistant Registrar

//True Copy//

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Sub Assistant Registrar

To:

1. The District Collector
Kancheepuram District
Kancheepuram.

2. The Tahsildar
Pallavaram Taluk
Kancheepuram District.

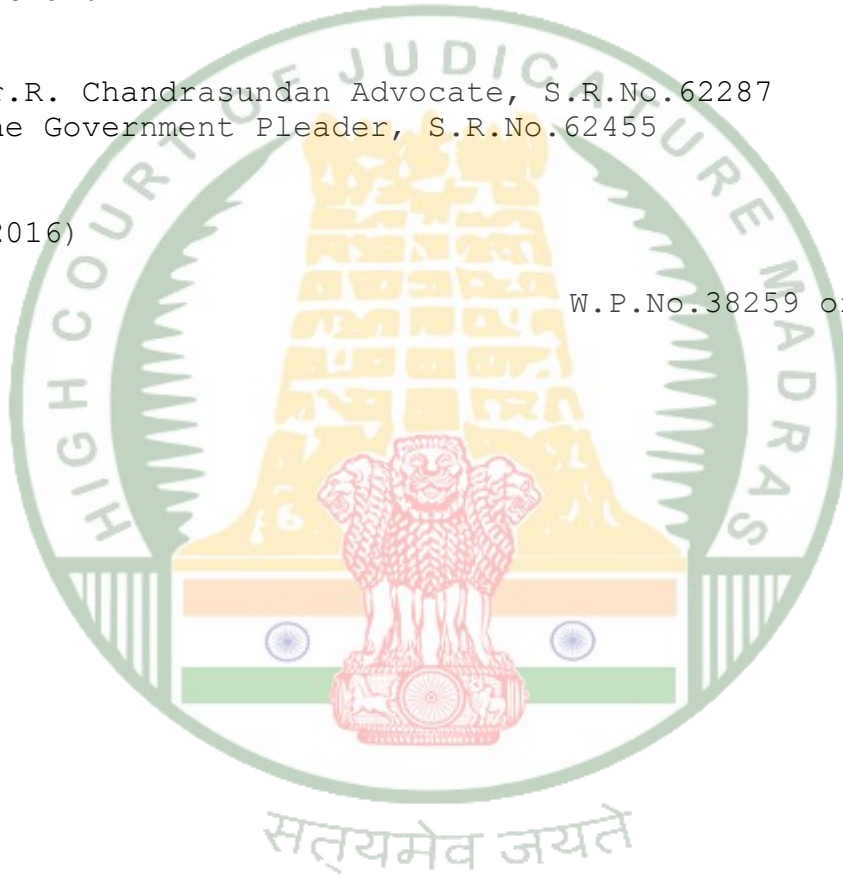
3 The Block Development Officer,
Padappai Panchayat Union
Padappai, Kancheepuram District

4. The Inspector of Police
Kundrathur Police Station
Kundrathur.

+1cc to Mr.R. Chandrasundan Advocate, S.R.No.62287
+1cc to the Government Pleader, S.R.No.62455

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md(12/11/2016)

W.P.No.38259 of 2016



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