

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 9.11.2016

CORAM

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

AND

The HON'BLE MR.JUSTICE R.MAHADEVAN

W.P.No.39050 of 2016

D.Jothilangam

.. Petitioner

Vs.

1. The District Collector
Tiruvallur District
Tiruvallur.

2. The Revenue Divisional Officer
Tiruvallur Division
Tiruvallur.

3. The Tahsildar
Tiruvallur Taluk
Tiruvallur.

4. P.Gopal .. Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of Mandamus forbearing respondents 1 to 3, their men and subordinates from interfering with the petitioner's property comprised in Survey No.84 to an extent of 0.10.0 Ares, situated in Kuruvayal Village, Tiruvallur Taluk and District without any authority of law unless the petitioner's representation dated 19.9.2016 is disposed of in accordance with law.

For Petitioner : Mr.K.Balaji

For Respondents : Mr.M.K.Subramanian
Government Pleader
for respondents 1 to 3

ORDER

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

The learned counsel for the petitioner submits that the petitioner does not seek to assail the notice under Section 7 of the Tamil Nadu Land Encroachment Act, 1905 or the

order passed under Section 6 of the said Act, but since the allegation is of the petitioner encroaching on the pathway and there is some intermingling between the patta land and the pathway, the petitioner only seeks demarcation from the authorities concerned, for which a representation was made on 19.9.2016.

2. The representation has been made to the first respondent with copy to respondents 2 and 3, but the authority which has to carry out demarcation is the third respondent.

3. In view thereof, the third respondent may carry out the demarcation within a maximum period of one month of the date of receipt of the order.

The petition, accordingly, stands disposed of. No costs. Consequently, W.M.P.No.33455 of 2016 is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

sasi

To:

1. The District Collector
Tiruvallur District
Tiruvallur.
2. The Revenue Divisional Officer
Tiruvallur Division
Tiruvallur.
3. The Tahsildar
Tiruvallur Taluk
Tiruvallur.

+1cc to Mr.K. Balaji, Advocate, S.R.No.64057
+1cc to the Government Pleader, S.R.No.64323

sai (CO)
md (17/11/2016)

W.P.No.39050 of 2016