

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.11.2016

CORAM :

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

AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P. No.40298 of 2016

and W.M.P.No.34365 of 2016

J.Sekar

.. Petitioner

-vs-

1.The District Collector,
Vellore District.

2.The Revenue Divisional Officer,
Vellore.

3.The Tahsildar,
Katpadi Taluk, Katpadi.

4.The Registrar,
Thiruvalluvar University,
Serkadu, Katpadi Taluk,
Vellore.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the respondents to consider the representation of the petitioner dated 29.6.2015 and 24.10.2016 and initiate appropriate action to remove the encroachment by the 4th respondent based on the proceedings No.Na.Ka. B2/19479/2007 dated 13.11.2015 issued by the 1st respondent.

For Petitioner : Mr.N.L.Rajah, Sr. Counsel
for M/s.AAV Partners

For Respondents : Mr.M.K.Subramanian
Govt. Pleader for RR 1 to 3
: Mr.V.Gangatharan for R-4

* * * * *

O R D E R

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

On hearing the learned counsel for parties, it transpires that a small portion of the land on which the Thiruvalluvar University is established and even a building built is actually the land of the petitioner. This is confirmed by the learned Government Pleader, who has produced the plan in Court.

2.We are conscious of the fact that the petitioner also did not raise the issue when the construction was going on and thus, practically speaking, it would be difficult to return the land in question to the University which has now constructed on it after it was handed over by the State Government.

3.Learned Senior Counsel for the petitioner, on instructions, states that all he is seeking is that an alternate land possibly contiguous to his land may be given or the land may be acquired in accordance with law.

4.We call upon the District Collector / first respondent to examine this issue and forward the requisite proposal to the State Government after having discussions with the petitioner and the representatives of Thiruvalluvar University within a maximum period of two (2) months from today. The State Government, thereafter, would take suitable action within a period of two (2) months thereafter.

5.Writ petition, accordingly, stands disposed of. No costs. Consequently, W.M.P.No.34365 of 2016 stands closed.

Sd/-
Asst.Registrar (CS CCC)

/true copy/

Sub Asst. Registrar

To

- 1.The District Collector,
Vellore District.
- 2.The Revenue Divisional Officer,
Vellore.
- 3.The Tahsildar,
Katpadi Taluk, Katpadi.

4.The Registrar,
Thiruvalluvar University,
Serkadu, Katpadi Taluk,
Vellore.

+1 cc to Mr.A.AV Partners,sr.66955.

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krd 28/11

W.P.No.40298 of 2016



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