

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.02.2016

CORAM

The Hon'ble Mr.JUSTICE M.M.SUNDRESH
and
The Hon'ble Mrs.JUSTICE S.VIMALA

W.P.No.4804 of 2016
and
WMP.No.4123 of 2016

Tax Payers Welfare Society Sankar Nagar,
rep. by its President S.Mariappan,
No.137, 37th street,
Sankar Nagar, Pammal,
Chennai-600 075. .. Petitioner

-vs-

- 1.The District Collector,
Kancheepuram District,
Kancheepuram.
- 2.The Commissioner,
Pammal Municipality,
Pammal, Chennai-600 061.
- 3.The Chairman,
Pammal Municipality,
Pammal, Chennai-600 061.
- 4.The Zonal Director,
Municipal Administration,
GST Road, Tambaram,
Kancheepuram District.
- 5.The Tahsildar,
Alandur Taluk,
Taluk Office, Nanganallur,
Chennai-600 061. .. Respondents

Petition under Article 226 of the Constitution of India
praying for issue of Writ of Mandamus directing the first
respondent to remove the encroachments in the north and west
roads in the Layout Parts II and IV of Sri Sankara Nagar Layout,
Pammal.

For Petitioner : Mr.R.Rajesh Vivekananthan

For Respondent : Mr.STS.Moorthy
Government Pleader for R1 to R5

O R D E R

(Order of the Court was made by M.M.Sundresh, J.)

The petitioner has come forward with this writ petition seeking direction to respondent No.1 to remove the encroachments in the North and West Roads in the Layout Parts II and IV of Sri Sankara Nagar Layout, Pammal.

2. From the records, it is seen that the representation of the petitioner was forwarded by respondent No.1 to respondent No.2 vide proceedings dated 29.05.2015. Respondent No.2, in turn has sent a communication to respondent No.5 in and by the proceedings dated 28.7.2015 seeking measurement of the land with the aid of the special Surveyor and indicate the encroached portion along with the sketch. As no action is forthcoming thereafter, the present writ petition has been filed.

3. The learned Government Pleader submitted that the Deputy Director of Town and Country Planning, Chengalpattu will be in possession of the records pertaining to the Layouts. Therefore, the said authority will have to be impleaded as party respondent in this writ petition.

4. Considering the facts and circumstances of the case, we deem it appropriate to direct the Deputy Director of Town and Country Planning, Chengalpattu to furnish the documents with respect to the Layout approval plan for Survey Nos.143 Part and 142, Sri Sankar Nagar in LPDM/DDTP No.83/73 and LPDM/DDTP No.114/73 with respect to stage 2 and 4 within a period of four weeks from the date of receipt of the copy of the order to respondent No.5. After the receipt of the same, respondent No.5 shall cause an inspection along with the special Surveyor and identify the encroached portion qua the roads. Such an action is to be taken within a further period of four weeks from the date of receipt of the records from the office of the Deputy Director of Town and Country Planning, Chengalpattu. Thereafter, appropriate action will have to be taken by respondent No.2 within a further period of eight weeks after following the due procedure.

5. The writ petition is disposed of with the above said observations and directions. No costs. Consequently, WMP.No.4123 of 2016 is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

- 1.The District Collector,
Kancheepuram District,
Kancheepuram.
- 2.The Commissioner,
Pammal Municipality,
Pammal, Chennai-600 061.
- 3.The Chairman,
Pammal Municipality,
Pammal, Chennai-600 061.
- 4.The Zonal Director,
Municipal Administration,
GST Road, Tambaram,
Kancheepuram District.
- 5.The Tahsildar,
Alandur Taluk,
Taluk Office, Nanganallur,
Chennai-600 061.
- 6.The Deputy Director,
Town and Country Planning,
Chengalpattu.

+1cc to Mr.R.Rajesh Vivekananthan, Advocate Sr.8143
+1cc to the Government Pleader Sr.8485

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